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No. 100

## House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, we ask You to shepherd our comings and our goings. We hope You guard us and guide us always.

As the Representatives of the people of this great Nation, we have come to do Your will. We have been attentive to the needs of our times. We have listened to our constituents and to each other in the search of common purpose.

We are grateful to our colleagues, our personal staffs and the staff of this House for all their work and their dedication to government. We pray that You bless each of them for their efforts and reward them for their goodness by answering their prayers.

We pray for our families and the people of the districts we represent. Grant them peace, prosperity and renewed faith. May You who have begun this good work in us bring it to fulfillment, now and forever. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. KNOLLENBERG. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. KNOLLENBERG. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 344, nays 55, not voting 35, as follows:

[Roll No. 443]

YEAS—344

Abercrombie  
Ackerman  
Allen  
Andrews  
Armey  
Baca  
Bachus  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonior  
Bono  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Capps  
Cardin  
Carson  
Castle  
Chabot  
Chambliss

Clayton  
Clement  
Coble  
Coburn  
Combest  
Cook  
Cooksey  
Cox  
Coyne  
Cramer  
Crowley  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Eshoo  
Etheridge  
Evans  
Farr  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gedensson  
Gekas  
Gibbons

Gilchrest  
Goode  
Goodlatte  
Gordon  
Goss  
Graham  
Granger  
Green (TX)  
Green (WI)  
Greenwood  
Hall (OH)  
Hall (TX)  
Hansen  
Hastings (WA)  
Hayes  
Hayworth  
Hill (IN)  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Horn  
Hostettler  
Hoyer  
Hulshof  
Hutchinson  
Hyde  
Inslee  
Isakson  
Istook  
Jackson (IL)  
Jefferson  
John  
Johnson, E. B.  
Jones (NC)  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy  
Kildee  
Kilpatrick  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
Klink  
Knollenberg  
Kolbe  
Kuykendall  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Larson

Latham  
LaTourette  
Lazio  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Mica  
Millender-  
McDonald  
Miller (FL)  
Miller, Gary  
Miller, George  
Minge  
Mink  
Moakley  
Mollohan  
Moore  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northup

Norwood  
Obey  
Ose  
Owens  
Oxley  
Packard  
Pallone  
Pascarell  
Pastor  
Paul  
Payne  
Pease  
Pelosi  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Regula  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryan (WI)  
Ryun (KS)  
Salmon  
Sanchez  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schakowsky  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shays

Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simpson  
Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Snyder  
Souder  
Spence  
Spratt  
Stabenow  
Stearns  
Stenholm  
Stump  
Sununu  
Sweeney  
Talent  
Tanner  
Tauscher  
Tauzin  
Taylor (NC)  
Terry  
Thornberry  
Thune  
Thurman  
Tiahrt  
Toomey  
Towns  
Traficant  
Turner  
Udall (CO)  
Upton  
Velazquez  
Visclosky  
Vitter  
Walden  
Walsh  
Wamp  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (PA)  
Wexler  
Weygand  
Whitfield  
Wilson  
Woolsey  
Wu  
Wynn  
Young (FL)

NAYS—55

Aderholt  
Billbray  
Borski  
Brady (PA)  
Capuano  
Chenoweth-Hage

Clay  
Clyburn  
Condit  
Costello  
DeFazio  
Dickey  
Everett  
Fattah  
Filner  
Gephardt  
Gillmor  
Gonzalez

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H7131

Gutierrez	McDermott	Slaughter
Gutknecht	McGovern	Strickland
Hastings (FL)	McNulty	Stupak
Hefley	Moran (KS)	Tancredo
Hill (MT)	Oberstar	Taylor (MS)
Hilleary	Olver	Thompson (CA)
Hilliard	Ortiz	Thompson (MS)
Hinchey	Peterson (MN)	Tierney
Hooley	Pickett	Udall (NM)
Jackson-Lee	Ramstad	Waters
(TX)	Rogan	Weller
Kucinich	Sabo	Wicker
LoBiondo	Schaffer	

## NOT VOTING—35

Archer	Herger	Rangel
Baird	Houghton	Shaw
Barton	Hunter	Smith (WA)
Collins	Jenkins	Stark
Conyers	Johnson (CT)	Thomas
Crane	Johnson, Sam	Vento
Doyle	Jones (OH)	Watkins
Engel	McCrery	Weldon (FL)
English	McIntosh	Wise
Ewing	Nussle	Wolf
Gilman	Pitts	Young (AK)
Goodling	Porter	

1026

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. HAYES). Will the gentleman from New York (Mr. McNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPROPRIATIONS SCHEDULE FOR TODAY

(Mr. YOUNG of Florida asked and was given permission to address the House for 1 minute.)

Mr. YOUNG of Florida. Mr. Speaker, I rise to make an announcement relative to the appropriations schedule for the day.

Mr. Speaker, at the direction of the leadership, the House and Senate appropriators and appropriations staff worked all through the night and have prepared the conference report on the legislative branch appropriations bill as well as the Treasury-Postal appropriations bill. That was filed this morning at approximately 7 a.m.

Then, after the appropriators worked all night, the Committee on Rules worked for a good portion of the night and submitted a rule. We will take that conference report up sometime today, probably after we complete the consideration of our last appropriations bill for the District of Columbia.

But the announcement I wanted to make is that the copies of the bill will be on the House Committee on Rules Web site and should be there now and also on the House Clerk's Office Web site so that Members will have an opportunity to look at the entire conference report.

In addition, a summary on printed hard copy will be available in the Ap-

propriations office so Members will have ample opportunity to look at the conference report prior to the time they are called on to vote.

1030

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I thank my distinguished friend for yielding to me, and I have just a couple of questions. The D.C. appropriations bill, will that be brought to the floor today? Is that the gentleman's understanding? The gentleman alluded to it in his remarks.

Mr. YOUNG of Florida. It is my understanding that the D.C. bill will be completed today. We are very close to completion on that bill.

Mr. BONIOR. Does the gentleman expect that bill to be brought to the floor today, the D.C. appropriation bill?

Mr. YOUNG of Florida. Yes.

Mr. BONIOR. All right. I thank the gentleman.

The second thing is on the Treasury Postal bill, obviously, there is a lot of concern about the bill since Members have not seen it, some Members did not participate or were not allowed to participate in the conference, as I understand it, and the question I have is, the two Cuban amendments that passed with overwhelming votes in this Chamber, are they in the bill or were they stripped from the bill?

Mr. YOUNG of Florida. They are not in the conference report.

Mr. BONIOR. I thank my colleague.

Mr. YOUNG of Florida. I made the announcement so Members will have opportunity to review the entire report and to find areas they like and areas they do not like, and then we will pass the conference report.

## QUESTIONS REGARDING APPROPRIATIONS SCHEDULE FOR TODAY

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, I just would like to make a few observations about the announcement just made by the gentleman from Florida (Mr. YOUNG). I do not know how to describe the process we are going through, except that it looks to me like it was designed by Johnny Fumblefingers. We have no idea, Members have no idea of what is in this conference report. We are being—could I have some order or has all respect gone from that side of the aisle? Too many sore losers from the baseball game last night, I guess.

The SPEAKER pro tempore (Mr. HAYES). Does the gentleman wish to be recognized to gloat for 2 minutes?

Mr. OBEY. The point I would like to make, Mr. Speaker, is simply this, we are being told that we are going to be voting on a legislative appropriations

bill today, and now we are being told that when we do that that bill will by reference also pass another appropriation bill, the Treasury Postal bill, that conference report is quaint, because the Senate has not yet even completed action on the bill which is being conferred, and in that bill, we have a variety of interesting provisions.

So far as we know, there is, for instance, apparently a road in that bill that GSA is being asked to construct in New Mexico, despite the fact GSA has never constructed a road in the history of the operation. The funds in the bill we are told are inadequate to allow the IRS to meet its modernization requirements, all of the matters relating to Cuba and the Cuban embargo, if you come from a farm district and are interested in that, I do not see the gentleman from Washington (Mr. NETHERCUTT) anywhere, but my understanding is that that has been stripped out of the bill.

So I would suggest that this is a most strange way to proceed. I do not understand why it is necessary to proceed to a conference report on a bill which has not yet even been considered by the other body, that is an incredibly irregular procedure, and I think it adds further to the image of this House as not knowing from one day to the next what it is doing.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank my friend for yielding to me, and when I made this announcement, I did not intend to start the debate on the conference report. I merely wanted to allow the Members to know where they could see copies of this bill, so that when we get to that debate, no one would have the excuse of, well, I did not have a chance to see the bill; that was the only purpose, not to start the debate now, but to tell Members where they can see copies of this conference report so they can vote intelligently.

Mr. OBEY. I would simply say to the gentleman, I am not criticizing his statement, I am criticizing his actions.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding to me.

I would say to the gentleman from Florida (Chairman YOUNG) for whom I have, as he knows, great respect and affection, and I share that as well for the ranking member.

I want to tell him, with all due respect, I am the ranking member of the Treasury Postal bill, and I am going to have to go to the Web site because I have not seen the conference report. There was no conference. I would tell my friends, there was no conference on the Treasury Postal bill, whatever is in the Treasury Postal bill, we are learning secondhand.

This is not the way my colleagues ought to run this House and respect

one another as Members. This is a wrong way to proceed, and we ought to reject and start back at the very beginning. This is not the way to treat one another. If we want bipartisanship, if we want to positively represent the citizens of this country, if we want to come to this place and be honest with one another, this is not the way to do it.

I am the ranking member. I have not seen this bill, and I must go to the Web site to see this bill. Reject this bill.

Mr. OBEY. Reclaiming my time, Mr. Speaker, could I ask the gentleman from Florida (Mr. YOUNG) a procedural question?

The gentleman has indicated we are going to bring up the D.C. bill, will we be allowed to bring that bill to final passage, or are we just going to debate it further without voting on final passage?

Mr. YOUNG of Florida. If the gentleman would yield, I think he knows that under the unanimous consent agreement that we reached yesterday that we are close to the end of completion of that bill. So it is certainly my hope that we can complete that bill and get it on to the Senate. That is the final appropriations bill to leave the House, and then we can turn our attention to the conference reports so that we can complete the process to send it to the White House.

Mr. OBEY. There are rumors around here that the bill will be debated, but that it will not be allowed to come to final passage. Can the gentleman tell us that it will be allowed to come to final passage?

Mr. YOUNG of Florida. I would suggest to the gentleman that I have not heard that rumor.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR, 2001

The SPEAKER pro tempore. The unfinished business is the question of agreeing to the motion to instruct conferees on H.R. 4205, offered by the gentleman from Mississippi (Mr. TAYLOR) on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will rereport the motion.

The Clerk read as follows:

Mr. TAYLOR of Mississippi moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4205 be instructed to insist upon the provisions contained in section 725, relating to the Medicare subvention project for military retirees and dependents, of the House bill.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Mississippi (Mr. TAYLOR).

Further one minutes will be at the end of legislative business.

The vote was taken by electronic device, and there were—yeas 416, nays 2,

answered "present" 1, not voting 15, as follows:

[Roll No. 444]

YEAS—416

Abercrombie	DeLauro	Jackson-Lee
Ackerman	DeLay	(TX)
Aderholt	DeMint	Jefferson
Allen	Deutsch	John
Andrews	Diaz-Balart	Johnson (CT)
Archer	Dickey	Johnson, E. B.
Armey	Dicks	Johnson, Sam
Baca	Dingell	Jones (NC)
Bachus	Dixon	Kanjorski
Baker	Doggett	Kaptur
Baldacci	Dooley	Kelly
Baldwin	Doolittle	Kennedy
Ballenger	Doyle	Kildee
Barcia	Dreier	Kilpatrick
Barr	Duncan	Kind (WI)
Barrett (NE)	Dunn	King (NY)
Barrett (WI)	Edwards	Kingston
Bartlett	Ehlers	Kleczka
Bass	Ehrlich	Klink
Bateman	Emerson	Knollenberg
Becerra	Engel	Kolbe
Bentsen	English	Kucinich
Bereuter	Eshoo	Kuykendall
Berkley	Etheridge	LaFalce
Berman	Evans	LaHood
Berry	Everett	Lampson
Biggert	Farr	Lantos
Bilbray	Fattah	Largent
Bilirakis	Filner	Larson
Bishop	Fletcher	Latham
Blagojevich	Foley	LaTourette
Bliley	Forbes	Lazio
Blumenauer	Ford	Leach
Boehlert	Fossella	Lee
Boehner	Fowler	Levin
Bonilla	Frank (MA)	Lewis (CA)
Bonior	Franks (NJ)	Lewis (GA)
Bono	Frelinghuysen	Lewis (KY)
Borski	Frost	Linder
Boswell	Gallegly	Lipinski
Boucher	Ganske	LoBiondo
Boyd	Gejdenson	Lofgren
Brady (PA)	Gekas	Lowey
Brady (TX)	Gephardt	Lucas (KY)
Brown (FL)	Gibbons	Lucas (OK)
Brown (OH)	Gilchrest	Luther
Bryant	Gillmor	Maloney (CT)
Burr	Gonzalez	Maloney (NY)
Burton	Goode	Manzullo
Callahan	Goodlatte	Markey
Calvert	Goodling	Martinez
Camp	Gordon	Mascara
Campbell	Goss	Matsui
Canady	Graham	McCarthy (MO)
Cannon	Granger	McCarthy (NY)
Capps	Green (TX)	McCollum
Capuano	Green (WI)	McCrery
Cardin	Greenwood	McDermott
Carson	Gutierrez	McGovern
Castle	Gutknecht	McHugh
Chabot	Hall (OH)	McInnis
Chambliss	Hall (TX)	McIntyre
Chenoweth-Hage	Hansen	McKeon
Clay	Hastings (FL)	McKinney
Clayton	Hastings (WA)	McNulty
Clement	Hayes	Meehan
Clyburn	Hayworth	Meeks (FL)
Coble	Hefley	Meeks (NY)
Coburn	Herger	Menendez
Collins	Hill (IN)	Metcalf
Combest	Hill (MT)	Mica
Condit	Hilleary	Millender-
Conyers	Hilliard	McDonald
Cook	Hinchey	Miller (FL)
Cooksey	Hinojosa	Miller, Gary
Costello	Hobson	Miller, George
Cox	Hoeffel	Minge
Coyne	Hoekstra	Mink
Cramer	Holden	Moakley
Crane	Holt	Mollohan
Crowley	Hooley	Moore
Cubin	Horn	Moran (KS)
Cummings	Hostettler	Moran (VA)
Cunningham	Houghton	Morella
Danner	Hoyer	Murtha
Davis (FL)	Hulshof	Myrick
Davis (IL)	Hutchinson	Nadler
Davis (VA)	Hyde	Napolitano
Deal	Inslee	Neal
DeFazio	Isakson	Nethercutt
DeGette	Istook	Ney
Delahunt	Jackson (IL)	Northup
		Norwood

Nussle	Roybal-Allard	Tancred
Oberstar	Royce	Tanner
Obey	Rush	Tauscher
Olver	Ryan (WI)	Tauzin
Ortiz	Ryun (KS)	Taylor (MS)
Ose	Sabo	Taylor (NC)
Owens	Salmon	Terry
Oxley	Sanchez	Thompson (CA)
Packard	Sanders	Thompson (MS)
Pallone	Sandlin	Thornberry
Pascrell	Sawyer	Thune
Pastor	Saxton	Thurman
Paul	Scarborough	Tiahrt
Payne	Schaffer	Tierney
Pease	Schakowsky	Toomey
Pelosi	Scott	Towns
Peterson (MN)	Sensenbrenner	Trafficant
Peterson (PA)	Serrano	Turner
Petri	Sessions	Udall (CO)
Phelps	Shadegg	Udall (NM)
Pickering	Shaw	Upton
Pickett	Shays	Velazquez
Pitts	Sherman	Visclosky
Pombo	Sherwood	Vitter
Pomeroy	Shimkus	Walden
Porter	Shows	Walsh
Portman	Shuster	Wamp
Price (NC)	Simpson	Waters
Pryce (OH)	Siskis	Watkins
Quinn	Skeen	Watt (NC)
Radanovich	Skelton	Watts (OK)
Rahall	Slaughter	Waxman
Ramstad	Smith (NJ)	Weiner
Rangel	Smith (TX)	Weldon (FL)
Regula	Snyder	Weldon (PA)
Reyes	Souder	Weller
Reynolds	Spence	Wexler
Riley	Spratt	Weygand
Rivers	Stabenow	Whitfield
Rodriguez	Stark	Wicker
Roemer	Stearns	Wilson
Rogan	Stenholm	Wise
Rogers	Strickland	Woolsey
Rohrabacher	Stump	Wu
Ros-Lehtinen	Stupak	Wynn
Rothman	Sweeney	Young (FL)
Roukema	Talent	

NAYS—2

Sanford Thomas

ANSWERED "PRESENT"—1

Buyer

NOT VOTING—15

Baird	Jenkins	Smith (WA)
Barton	Jones (OH)	Sununu
Ewing	Kasich	Vento
Gilman	McIntosh	Wolf
Hunter	Smith (MI)	Young (AK)

1054

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Michigan. Mr. Speaker, on rollcall No. 444, I was inadvertently detained in a Budget meeting with Mr. Dan Crippen and Mr. Pete DuPont on solvency problems of Social Security, and Medicare. Had I been present, I would have voted "yea."

Mr. SUNUNU. Mr. Speaker, on rollcall No. 444, I was detained in a Budget Hearing on Social Security. Had I been present, I would have voted "yea."

#### MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. SPENCE. Mr. Speaker, I offer a motion.

THE SPEAKER pro tempore (Mr. HAYES). The Clerk will report the motion.

The Clerk read as follows:

Mr. SPENCE moves, pursuant to clause 12 of House rule XXII, that the meetings of the conference between the House and the Senate on H.R. 4205 may be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. SPENCE).

On this motion, the vote must be taken by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 411, nays 9, not voting 14, as follows:

[Roll No. 445]

YEAS—411

Abercrombie	Coble	Gonzalez
Ackerman	Coburn	Goode
Aderholt	Collins	Goodlatte
Allen	Combust	Goodling
Andrews	Condit	Gordon
Archer	Cook	Goss
Armey	Cooksey	Graham
Baca	Costello	Granger
Bachus	Cox	Green (TX)
Baird	Coyne	Green (WI)
Baker	Cramer	Greenwood
Baldacci	Crane	Gutierrez
Baldwin	Crowley	Gutknecht
Ballenger	Cubin	Hall (TX)
Barcia	Cummings	Hansen
Barr	Cunningham	Hastings (FL)
Barrett (NE)	Danner	Hastings (WA)
Barrett (WI)	Davis (FL)	Hayes
Bartlett	Davis (IL)	Hayworth
Bass	Deal	Hefley
Bateman	DeGette	Heger
Becerra	Delahunt	Hill (IN)
Bentsen	DeLauro	Hill (MT)
Bereuter	DeLay	Hilleary
Berkley	DeMint	Hilliard
Berman	Deutsch	Hinchey
Berry	Diaz-Balart	Hinojosa
Biggert	Dickey	Hobson
Bilbray	Dicks	Hoefel
Bilirakis	Dingell	Hoekstra
Bishop	Dixon	Holden
Blagojevich	Doggett	Holt
Bliley	Dooley	Hooley
Blunt	Doolittle	Horn
Boehrlert	Doyle	Hostettler
Boehner	Dreier	Houghton
Bonilla	Duncan	Hoyer
Bonior	Dunn	Hulshof
Bono	Edwards	Hunter
Borski	Ehlers	Hutchinson
Boswell	Ehrlich	Hyde
Boucher	Emerson	Inslee
Boyd	Engel	Isakson
Brady (PA)	English	Istook
Brady (TX)	Eshoo	Jackson-Lee
Brown (FL)	Etheridge	(TX)
Brown (OH)	Evans	Jefferson
Bryant	Everett	John
Burr	Farr	Johnson (CT)
Burton	Fattah	Johnson, E.B.
Callahan	Filner	Johnson, Sam
Calvert	Fletcher	Jones (NC)
Camp	Foley	Jones (OH)
Campbell	Forbes	Kanjorski
Canady	Ford	Kaptur
Cannon	Fossella	Kasich
Capps	Fowler	Kelly
Capuano	Frank (MA)	Kennedy
Cardin	Frelinghuysen	Kildee
Carson	Frost	Kilpatrick
Castle	Gallegly	Kind (WI)
Chabot	Ganske	King (NY)
Chambliss	Gejdenson	Kingston
Chenoweth-Hage		Gekas
Clay		Gephardt
Clayton		Gibbons
Clement		Gilchrest
Clyburn		Gillmor
		Kuykendall

LaFalce	Oliver	Shows
LaHood	Ortiz	Shuster
Lampson	Ose	Simpson
Lantos	Owens	Sisisky
Largent	Oxley	Skeen
Larson	Packard	Skelton
Latham	Pallone	Slaughter
LaTourette	Pascrell	Smith (MI)
Lazio	Pastor	Smith (NJ)
Leach	Paul	Smith (TX)
Levin	Payne	Snyder
Lewis (CA)	Pease	Souder
Lewis (GA)	Pelosi	Spence
Lewis (KY)	Peterson (MN)	Spratt
Linder	Peterson (PA)	Stabenow
Lipinski	Petri	Stearns
LoBiondo	Phelps	Stenholm
Lofgren	Pickering	Strickland
Lowey	Pickett	Stump
Lucas (KY)	Pitts	Stupak
Lucas (OK)	Pombo	Sununu
Luther	Pomeroy	Sweeney
Maloney (CT)	Porter	Talent
Maloney (NY)	Portman	Tancredo
Manzullo	Price (NC)	Tanner
Markey	Pryce (OH)	Tauscher
Martinez	Quinn	Tauzin
Mascara	Radanovich	Taylor (MS)
Matsui	Rahall	Taylor (NC)
McCarthy (MO)	Ramstad	Terry
McCarthy (NY)	Rangel	Thomas
McCollum	Regula	Thompson (CA)
McCrery	Reyes	Thompson (MS)
McDermott	Reynolds	Thornberry
McGovern	Riley	Thune
McHugh	Rivers	Thurman
McInnis	Rodriguez	Tiahrt
McIntyre	Roemer	Tierney
McKeon	Rogan	Toomey
McNulty	Rogers	Towns
Meehan	Rohrabacher	Trafficant
Meek (FL)	Ros-Lehtinen	Turner
Meeks (NY)	Rothman	Udall (CO)
Menendez	Roukema	Udall (NM)
Metcalf	Roybal-Allard	Upton
Mica	Royce	Velazquez
Millender	Rush	Visclosky
McDonald	Ryan (WI)	Vitter
Miller (FL)	Ryun (KS)	Walden
Miller, Gary	Sabo	Walsh
Minge	Salmon	Wamp
Mink	Sanchez	Waters
Moakley	Sanders	Watkins
Mollohan	Sandlin	Watts (OK)
Moore	Sanford	Waxman
Moran (KS)	Sawyer	Weiner
Moran (VA)	Saxton	Weldon (FL)
Morella	Scarborough	Weldon (PA)
Murtha	Schaffer	Weller
Myrick	Schakowsky	Wexler
Nadler	Scott	Weygand
Napolitano	Sensenbrenner	Whitfield
Neal	Serrano	Wicker
Nethercutt	Sessions	Wilson
Ney	Shadegg	Wise
Northup	Shaw	Woolsey
Norwood	Shays	Wu
Nussle	Sherman	Wynn
Oberstar	Sherwood	Young (FL)
Obey	Shimkus	

NAYS—9

Blumenauer	Kucinich	Miller, George
DeFazio	Lee	Stark
Jackson (IL)	McKinney	Watt (NC)

NOT VOTING—14

Barton	Franks (NJ)	Smith (WA)
Buyer	Gilman	Vento
Conyers	Hall (OH)	Wolf
Davis (VA)	Jenkins	Young (AK)
Ewing	McIntosh	

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So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE SPEAKER pro tempore (Mr. HAYES). Without objection, the Chair appoints the following conferees:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. SPENCE, STUMP, HUNTER, KASICH, BATEMAN, HANSEN, WELDON of Pennsylvania, HEFLEY, SAXTON, BUYER, Mrs. FOWLER, and Messrs. MCHUGH, TALENT, EVERETT, BARTLETT of Maryland, MCKEON, WATTS of Oklahoma, THORNBERRY, HOSTETTTLER, CHAMBLISS, SKELTON, SISISKY, SPRATT, ORTIZ, PICKETT, EVANS, TAYLOR of Mississippi, ABERCROMBIE, MEEHAN, UNDERWOOD, ALLEN, SNYDER, MALONEY of Connecticut, MCINTYRE, Mrs. TAUSCHER, and Mr. THOMPSON of California.

Provided that Mr. KUYKENDALL is appointed in lieu of Mr. KASICH for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

Messrs. GOSS, LEWIS of California, and DIXON.

Provided that Mr. MCHUGH is appointed in lieu of Mr. SCARBOROUGH for consideration of section 1073 of the Senate amendment, and modifications committed to conference.

From the Committee on House Administration, for consideration of sections 561-563 of the Senate amendment, and modifications committed to conference:

Messrs. THOMAS, BOEHNER, and HOYER.

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, 1210, title XIII, and 3136 of the House bill, and sections 1011, 1201-1203, 1206, 1208, 1209, 1212, 1214, 3178, and 3193 of the Senate amendment, and modifications committed to conference:

Messrs. GILMAN, GOODLING, and GEJDENSON.

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill and sections 506, 645, 663, 668, 909, 1068, 1106, Title XV, and Title XXXV of the Senate amendment, and modifications committed to conference:

Messrs. HYDE, CANADY of Florida, and CONYERS.

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601, 1059, title XIII, 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

Messrs. YOUNG of Alaska, TAUZIN, and GEORGE MILLER of California.

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3133, 3134, 3138, 3152, 3154, 3155, 3167-3169, 3171, 3201, and 3301-3303 of the Senate amendment, and modifications committed to conference:

Messrs. BILEY, BARTON of Texas, and DINGELL.

Provided that Mr. BILIRAKIS is appointed in lieu of Mr. BARTON of Texas

for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference.

Provided that Mr. OXLEY is appointed in lieu of Mr. BARTON of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference.

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and Title XXXV of the Senate amendment, and modifications committed to conference:

Messrs. GOODLING, HILLEARY, and Mrs. MINK of Hawaii.

From the Committee on Government Reform, for consideration of sections 518, 651, 723, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, 1069, 1073, 1101, 1102, 1104, 1106–1118, Title XIV, 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

Messrs. BURTON of Indiana, SCARBOROUGH, and WAXMAN.

Provided that Mr. HORN is appointed in lieu of Mr. SCARBOROUGH for consideration of section 801 of the House bill and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, 1101, Title XIV, 2871, and 2881 of the Senate amendment, and modifications committed to conference.

From the Committee on Science, for consideration of sections 1402, 1403, 3161–3167, 3169, and 3176 of the Senate amendment, and modifications committed to conference:

Messrs. SENSENBRENNER, CALVERT, and GORDON.

Provided that Mrs. MORELLA is appointed in lieu of Mr. CALVERT for consideration of sections 1402, 1403, and 3176 of the Senate amendment, and modifications committed to conference.

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

Messrs. SHUSTER, GILCHREST, and BAIRD.

Provided that Mr. PASCRELL is appointed in lieu of Mr. BAIRD for consideration of section 1072 of the Senate amendment, and modifications committed to conference.

From the Committee on Veterans' Affairs, for consideration of Sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment and modifications committed to conference:

Messrs. BILIRAKIS, QUINN, and Ms. BROWN of Florida.

From the Committee on Ways and Means, for consideration of section 725

of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

Messrs. ARCHER, THOMAS, and STARK. There was no objection.

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#### PRIVILEGES OF THE HOUSE—INFRINGEMENT ON CONSTITUTIONAL PREROGATIVES

Mr. ARCHER. Mr. Speaker, in order to assert the constitutional prerogatives of the House, I rise to a question of privileges of the House, and I offer a resolution.

The SPEAKER pro tempore (Mr. MILLER of Florida). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 568

*Resolved*, That the conference report accompanying H.R. 4516, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes, in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully recommended to the committee of conference.

The SPEAKER pro tempore. The resolution constitutes a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I offer a preferential motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. GOSS moves to table House Resolution 568.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Florida (Mr. GOSS).

#### PARLIAMENTARY INQUIRIES

Mr. RANGEL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, does this motion to table set aside the constitutional protection that all revenue matters should be coming initially and originate from the House of Representatives?

The SPEAKER pro tempore. Adoption of a nondebatable motion to table constitutes a final disposition of the resolution by the House.

Mr. RANGEL. Mr. Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, if indeed the motion to table prevails, would it not, from a historic sense, be the first time, based on parliamentary decisions, it would be the first time that a tax revenue issue would be raised by the other body, and then come over here and this body be disregarded? That is the parliamentary inquiry.

The SPEAKER pro tempore. Under the precedents of the House, the Chair

does not put things in historical perspective. That is not a parliamentary inquiry.

Mr. RANGEL. Mr. Speaker, I have another parliamentary inquiry. If the motion to table prevails, does it not mean that the other body has violated the Constitution of the United States?

The SPEAKER pro tempore. Adoption of a nondebatable motion to table constitutes a final disposition of the pending resolution by the House.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Florida (Mr. GOSS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. RANGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 212, not voting 10, as follows:

[Roll No. 446]

#### AYES—213

Aderholt	Franks (NJ)	McInnis
Armey	Frelinghuysen	McKeon
Bachus	Gallegly	Metcalf
Baker	Ganske	Mica
Ballenger	Gekas	Miller (FL)
Barr	Gibbons	Miller, Gary
Barrett (NE)	Gilchrest	Moran (KS)
Bartlett	Gillmor	Morella
Bass	Goode	Myrick
Bateman	Goodlatte	Nethercutt
Bereuter	Goodling	Ney
Biggert	Goss	Northup
Bilbray	Graham	Norwood
Bilirakis	Granger	Ose
Bliley	Green (WI)	Oxley
Blunt	Greenwood	Packard
Boehlert	Hansen	Paul
Boehner	Hastert	Pease
Bonilla	Hastings (WA)	Peterson (PA)
Bono	Hayes	Petri
Brady (TX)	Hayworth	Pickering
Bryant	Hefley	Pitts
Burr	Herger	Pombo
Burton	Hill (MT)	Porter
Buyer	Hilleary	Portman
Callahan	Hobson	Pryce (OH)
Calvert	Hoekstra	Quinn
Camp	Horn	Radanovich
Canady	Hostettler	Regula
Cannon	Houghton	Reynolds
Castle	Hulshof	Riley
Chabot	Hunter	Rogan
Chambliss	Hutchinson	Rogers
Chenoweth-Hage	Hyde	Rohrabacher
Coble	Isakson	Ros-Lehtinen
Coburn	Istook	Roukema
Collins	Johnson (CT)	Royce
Combest	Johnson, Sam	Ryan (WI)
Cook	Jones (NC)	Ryun (KS)
Cooksey	Kasich	Salmon
Cox	Kelly	Sanford
Crane	King (NY)	Saxton
Cubin	Kingston	Scarborough
Cunningham	Knollenberg	Schaffer
Deal	Kolbe	Sensenbrenner
DeLay	Kuykendall	Sessions
DeMint	LaHood	Shadegg
Diaz-Balart	Largent	Shaw
Dickey	Latham	Shays
Doolittle	LaTourette	Sherwood
Dreier	Lazio	Shimkus
Duncan	Leach	Shuster
Dunn	Lewis (CA)	Simpson
Ehlers	Lewis (KY)	Skeen
Ehrlich	Linder	Smith (MI)
Emerson	LoBiondo	Smith (NJ)
English	Lucas (OK)	Smith (TX)
Everett	Manzullo	Souder
Fletcher	Martinez	Spence
Foley	McCollum	Stearns
Fossella	McCrery	Stump
Fowler	McHugh	Sununu

Sweeney  
Talent  
Tancredo  
Tauzin  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Thune

Tiahrt  
Toomey  
Traficant  
Upton  
Vitter  
Walden  
Walsh  
Wamp  
Watkins

Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson  
Young (AK)  
Young (FL)

## NOES—212

Abercrombie  
Ackerman  
Allen  
Andrews  
Archer  
Baca  
Baird  
Baldacci  
Baldwin  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berkley  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (FL)  
Brown (OH)  
Campbell  
Capps  
Capuano  
Cardin  
Carson  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Crowley  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Forbes  
Ford  
Frank (MA)  
Frost  
Gejdenson  
Gephardt  
Gonzalez

Gordon  
Green (TX)  
Gutierrez  
Gutknecht  
Hall (TX)  
Hastings (FL)  
Hill (IN)  
Hilliard  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Hooley  
Hoyer  
Inslee  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Larson  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Luther  
Maloney (CT)  
Maloney (NY)  
Markey  
Mascara  
Matsui  
McCauley (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender  
McDonald  
Miller, George  
Minge  
Mink  
Moakley  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Nadler  
Napolitano

Neal  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Phelps  
Pickett  
Pomeroy  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Reyes  
Rivers  
Rodriguez  
Roemer  
Rothman  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Schakowsky  
Scott  
Serrano  
Sherman  
Shows  
Sisisky  
Skelton  
Slaughter  
Snyder  
Spratt  
Stabenow  
Stark  
Stenholm  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Thurman  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Velazquez  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Weiner  
Wexler  
Weygand  
Wise  
Woolsey  
Wu  
Wynn

## NOT VOTING—10

Barton  
Davis (VA)  
Ewing  
Gilman  
Hall (OH)  
Jenkins  
McIntosh  
Smith (WA)  
Vento  
Wolf

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Messrs. HILL of Montana, GREENWOOD, PAUL, METCALF, Mrs. EMERSON, and Messrs. RADANOVICH, SANFORD, and JONES of North Carolina changed their vote from "no" to "aye."

So the motion to lay on the table House Resolution 568 was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PROVIDING FOR CONSIDERATION OF H.R. 4865, SOCIAL SECURITY BENEFITS TAX RELIEF ACT OF 2000

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 564 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 564

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4865) to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits. The bill shall be considered as read for amendment. All points of order against the bill and against its consideration are waived. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Pomeroy of North Dakota or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MILLER of Florida). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, the legislation before us is a structured rule providing for the consideration of H.R. 4865, the Social Security Benefits Tax Relief Act. The rule provides for 1 hour of debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against the bill and against its consideration.

The rule provides that the amendment recommended by the Committee on Ways and Means, now printed in the bill, shall be considered as adopted. The rule provides for consideration of the amendment in the nature of a substitute, printed in the Committee on Rules report accompanying the resolution, if offered by the gentleman from

North Dakota (Mr. POMEROY) or his designee, which shall be considered as read and shall be separately debatable for 1 hour, equally divided by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute.

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, passage of this rule will allow the House of Representatives to consider important bipartisan legislation to repeal a misguided tax on Social Security benefits. For most of the program's existence, Social Security has been exempt from Federal income tax. But in 1993, as part of the largest tax increase in American history, President Clinton and Vice President GORE proposed a tax increase on Social Security benefits. They claimed this tax would reduce the Federal budget deficit, at which time it was \$255 billion.

The controversial Clinton-Gore proposal was vigorously debated in this House of Representatives. Opponents of the plan argued that control of Federal spending, not tax increases, was a better way to reduce the budget deficit. At the end of the debate, the Clinton-Gore proposal was passed by a single vote in the Democrat-controlled House. Not one Republican voted for this proposal. In the Senate, Vice President GORE cast the deciding vote, enabling President Clinton to sign this tax increase on senior citizens into law.

Despite passage of the Clinton-Gore tax increase, budget deficits continued, and the money collected from the Social Security tax increase funded even more government spending, with deficits increasing. In 1994, the Republican Party became the majority party for the House and the Senate for the first time in 50 years. The Republican Congress enacted much-needed tax relief, controlled government spending, and passed the first balanced budget in a generation.

Tax cuts and fiscal responsibility, along with the hard work of the American people, have caused the Federal budget to become balanced faster than was forecast. This year, the Federal budget has a surplus of \$233 billion. Even proponents of the 1993 Social Security tax increase should agree it is now time to repeal this tax on senior citizens. Proponents said it was necessary to cut the deficit, and now the deficit is gone.

This Social Security tax is more than unnecessary, it is bad and unwise tax policy. It penalizes seniors who work and discourages Americans from saving. The tax is also unfair. It changes tax policy in the middle of the game, penalizing recipients who based past work and saving decisions on old law.

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In essence, this tax on Social Security benefits tells Americans not to save because if they do they will have their benefits of Social Security taxed.

I am troubled that our national savings rate is at an all-time low. In fact, private savings are actually a net negative at this time.

It is clear to me that as long as we have a tax on Social Security and one that does not encourage savings and investment, we are going to have a problem with the national savings rate.

Opponents will argue that this tax is for the rich. This is simply not the case. This tax affects seniors who make more than \$25,000 if they are single or \$32,000 if they are married. Mr. Speaker, that is not exactly the rich of America. It is called the middle class of America.

Furthermore, these income levels are not indexed for inflation, meaning more and more lower-income people will be impacted by this tax every year.

According to the Congressional Budget Office, 10 million beneficiaries are hit by this tax this year, and more than 17.5 million beneficiaries will be hit in 2010. The average tax this year is \$1,180. It will grow to \$1,359 in the year 2010.

Opponents will also argue that repealing the Clinton-Gore tax increase on Social Security benefits will weaken Medicare. This is also not the case.

The legislation requires that funds from general revenue will be transferred to offset to the penny the amount being generated by the Social Security tax, thus maintaining Medicare's current financing.

Mr. Speaker, with passage of this underlying legislation, Congress says that Social Security recipients should not be penalized for retirement and savings through an IRA or a 401(k) plan or for taking a part-time job after retiring.

The gentleman from Texas (Chairman ARCHER) from the Committee on Ways and Means aptly stated to us in the Committee on Rules yesterday when he sought this rule, the only people that pay this tax are those who saved during their lifetimes or those who will be working.

Clearly, this is unfair and must be changed.

That is what this debate is about, and that is what this rule is about.

Mr. Speaker, I urge my colleagues to support this rule so that the House may consider this legislation to reduce the unwise tax on our senior citizens, the Social Security benefits tax.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my dear friend, the gentleman from Texas (Mr. SESSIONS), for yielding me the customary half hour.

Mr. Speaker, I would like to begin by thanking my Republican colleagues for making the Pomeroy-Green-Capitano Democratic alternative in order. Because they make their amendment in order, this rule will enable us to choose between helping the very rich and everyone else.

My Republican colleagues have a bill that pretends to help seniors but actually does nothing whatsoever for 80 percent of them. Furthermore, Mr. Speaker, it endangers Medicare.

The average Social Security benefit is \$804 per month for individuals and \$1,348 for married couples. These people, as well as middle-income Social Security beneficiaries, will get nothing from this Republican bill.

Instead this bill, like so many before, will cut taxes for the richest Americans. In this case it is the richest 20 percent of the Social Security beneficiaries.

The Republican bill repeals part of the 1993 deficit reduction law that raises the threshold for taxation of benefits to 85 percent. The funds raised should go into the Medicare Trust Fund. But this Republican bill will not do that.

My Republican colleagues criticize the Clinton administration for this 1993 deficit reduction measure. But, Mr. Speaker, I would like to remind my colleagues that in 1983 it was none other than Ronald Reagan and George Bush who put this law into being, the previous threshold of taxing 50 percent of the benefits.

So, Mr. Speaker, in addition to being unfair, repealing this provision is unwise. The revenues gained under current law are a dedicated source of revenue for a Medicare program. Over the next 10 years, this provision will raise \$117 billion for Medicare.

Mr. Speaker, it is very risky at this time to jeopardize the future security of Medicare, particularly when the risk is taken just to make the rich a little bit richer.

My colleagues may say that we will make up those lost revenues with money from the general fund. But, Mr. Speaker, I have been here long enough to know that today's surplus can very easily end up as tomorrow's deficit and that it is not worth taking the risk of leaving seniors without Medicare coverage.

Mr. Speaker, American seniors want real legislation. American seniors want their Medicare safe, and they do not want the surplus squandered to fund Republican schemes to make the rich richer.

I urge my colleagues to take a good look at this and support the Pomeroy-Green-Capitano substitute.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me the time.

Mr. Speaker, I would like to begin by congratulating my friend, the gentleman from Dallas, Texas (Mr. SESSIONS), for his superb statement in

which he gave an account of the testimony that the gentleman from Texas (Chairman ARCHER) delivered before the Committee on Rules on the very important aspects of this measure.

I would also like to compliment my dear friend, the gentleman from South Boston (Mr. MOAKLEY), the ranking minority member of the Committee on Rules, for the first sentence of his statement in which he congratulated us on making sure that the Democratic substitute was in order.

The rest of his statement was baloney; but the first sentence was actually very good, and it should be congratulated.

I would like to say that we are in the midst of doing some very, very important work here. We hear the President say, do not send another risky tax scheme bill or tax cutting binge, as John Podesta called it, they have all these great names for it, do not send all these bills that basically allow the American people to keep more of their hard-earned dollars down to the White House because they will veto it.

And we look at the litany of measures that the President has said that he was going to veto in the past, including that very important Education Flexibility Act and the Teacher Empowerment Act, which take power from Washington, D.C., and turn it back for decision-making at local school boards and in the State legislatures and local governments. The President was going to veto that; and, sure enough, he signed it.

National missile defense is something that we regularly talk about, I am happy to say, in somewhat of a bipartisan way. The President was determined to veto that measure. He said he was absolutely going to veto it. And what did he do? He ended up signing it.

Welfare reform. We all know that he twice vetoed it. And then a virtual identical bill he signed. We are just now seeing the tremendous accounts of those benefits based on the work of our colleague, the gentlewoman from Connecticut (Mrs. JOHNSON), to the welfare reform that has been put into place. We have seen tremendous improvements all the way across the board.

So these are measures which the President said he was going to veto and he signed them.

Similarly, when he said, do not send another tax cutting bill down here because I am going to veto it, I think we have a responsibility to do our work. And this is one of those very, very important measures.

Back in 1993, we saw the arguments made that the way that we could balance the budget would be to impose the largest tax increase in American history. I know my Democratic colleagues like to call this the balanced budget measure.

The fact of the matter is it was the largest tax increase in American history, and it is a measure which did have not one single Republican vote in favor of it, neither the House nor the



Senate. They love to argue that. I am proud of the fact that I did not vote for that bill. And we call it the Gore tax because it was decided by a single vote in the other body and that was the vote that was cast by the Vice President, AL GORE, in favor of the increase.

One of those very important aspects of that massive tax increase bill was the one that said to senior citizens that, if we do not repeal this measure over the next year, 8 million will be paying an additional \$1,180 in taxes on their Social Security benefits. We saw this increased from 50 percent to 85 percent.

I will tell my colleagues, as my friend, the gentleman from Dallas, Texas (Mr. SESSIONS), has said in recounting the statement of the chairman of the Committee on Ways and Means before our Committee on Rules, do we not want to encourage people to plan for their retirement? Did we not, with only 24 Members, all Democrats voting against the measure but everyone else supporting it, pass a measure which said that we should increase from \$2,000 to \$5,000 the contributions to individual retirement accounts, expanded 401(k)s?

These are the things we are trying to do to encourage people to plan for retirement. But what is it we do with the measure we have got here? We say to people they are rewarded if they do not plan for retirement; and they in fact are penalized if they do plan for retirement and have a little bit of success. That is what the Democratic substitute, which I happily made in order, will be considering.

This argument that my friend, the gentleman from South Boston (Mr. MOAKLEY), put out about jeopardizing Medicare and hospital insurance, the Hospital Insurance Fund is protected, and it is guaranteed to be solvent. The provisions that are in our measure are also in the Democratic substitute. So that really is a red herring that has been put out there.

This is a responsible measure. It allows hard-working Americans who have been forced throughout their entire lifetime through no choice of their own to pay into the Social Security system to have a chance to keep some of their own hard-earned money. And we want to encourage people to save for their retirement.

So we are doing the right thing. We have got a surplus. Why do we not do what they said they were going to do when they passed the massive tax increase, balance the budget?

Now that we have done that, let us go ahead and repeal that tax. I suspect we are going to do it in a bipartisan way. Democrats and Republican alike are supportive of this. And at the end of the day, I hope very much that President Clinton will sign the measure.

So I thank my friend for his very, very fine statement and his leadership on this issue.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the courtesy of the gentleman in yielding me the time.

Mr. Speaker, as we were listening to the selective memory of history, we would not have a surplus today to be dealing with if we had not had some very difficult budget cutting and tax increasing under both George "Read My Lips" Bush and President Clinton. But those difficult decisions were made to try and put us in a position of fiscal responsibility.

Now, under the Republican scheme of a tax cut du jour, we are slowly seeing this fiscal responsibility chipped away. The most recent one under the proposal before us today would cost \$113 billion over the next 10 years from the Medicare Trust Fund, a trust fund that does not have adequate money to deal with it over time despite the fact we are going to double the number of senior citizens drawing upon it over the course of the next 30 years.

These are the folks that passed a budget resolution that talks about budget austerity. And then we watch day after day, week after week as they ignore that budget resolution and move off into the ether fiscal land.

But I am less concerned about individual cuts. I am happy to consider adjustments for people who need it in terms of cutting taxes, making budget adjustments. But my question is, when are we going to listen to the people who need help the most?

We have heard about the so-called inheritance tax, the death tax chipping away. They make adjustments for 47,000 American families who are at the top end of the spectrum, but they refuse to have meaningful relief for the one-third of the senior citizens without prescription drug benefits who are now paying the highest prices in the world.

If we are going to talk about people who are having their estates chipped away, let us talk about the 300,000 senior citizens who are now in nursing homes who are having their estates chipped away to deal with the \$2,000 minimum.

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If you want to help somebody, let us get our priorities straight, not have a continual series of proposals to help the people who are least in need and you continue to ignore those people who need help the most. I strongly urge that we redirect our priority, and before we do more tax cutting du jour for the most privileged, that we might do something for the people who need it the most.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

As usual in this great body we have people who represent the tax collectors. We have just heard witness of the importance of being a tax collector and how the Federal Government has to have this money. We also have advocates like the gentleman from California (Mr. DREIER), who represent the taxpayer, the middle class of this coun-

try who pay the taxes who are trying to get back what is owed them.

Mr. Speaker, I yield such time as he may consume to the gentleman from The Woodlands, Texas (Mr. BRADY), who represents the taxpayer also.

Mr. BRADY of Texas. Mr. Speaker, I want to thank the gentleman from Texas for his leadership on this important issue.

This is not very complex, Mr. Speaker. This is about certain principles. All the bills that we vote on here in Washington, it is not about Hollywood, it is not about white papers and policy positions. To my way of thinking, we are talking about real people and what type of signal we send them in everything we do here in Washington. This is legislation where again we send a signal to people.

In Washington, we like to discourage people from doing the right thing. For some reason we have got a tax code that punishes people who do the right thing. People who go to school to get a job and a skill, those who marry, those who work hard, maybe invest some money for their own retirement, who put their money together perhaps and with their spouse work hard to have a small business, people who save for retirement who have a dream that someday their kids will go to college and they will get everyone settled in and they will have some time for themselves after all these years. Those are the people that we tax the highest and regulate the most. We discourage them from doing the right thing.

My fear is that people are going to stop doing things that they are punished for. Young people are smart these days. They figure out that if government is going to take care of me, why should I go that extra mile? Why should I work hard? Why should I save? Why should I dream about a retirement? Because Uncle Sam is going to take care of me. We all know that is not the case anymore. We know that it always comes back to you and me and our actions. That determines our type of life.

What we are doing here today is encouraging people to save. We are encouraging people to dream about their retirement and to save for it. And if they have invested at this point in their life and they are either elderly or they are widowed, they do not have the spouse that has been with them so long, or perhaps they are disabled, what we are saying here is we do not think it is right and we do not think it is fair to tax people because they have saved, because they have put money away, because maybe they started a small business or maybe they kept their family farm going.

By the way, we are not taxing them to put that money back into Social Security. Absolutely not. We are diverting it for other uses, some of it to Medicare, most of it diverted to other uses up here.

So you have got to ask, will there be an impact from this? Will there be a



cost from this repeal? Absolutely. We cannot afford more \$900 hammers. Maybe we will not be able to afford the 450th different education program. Maybe we will have to have one less. Maybe we cannot have as many different agencies that all do exactly the same thing and do not talk to each other. There will be a cost to it because you have to do this responsibly.

From my way of thinking, setting a priority on seniors, on the disabled, on widows, on survivors who have worked hard to do the right thing is the right thing to do for America.

Just to make a point, people tell you that this is taxing and a repeal for the wealthy. Only in Washington are you wealthy if you make \$30,000 or so a year. \$30,000 does not go very far these days. You look at, especially seniors, a lot of them are raising their grandchildren these days. People start families earlier. It is not unusual to have them in college. Look at all the costs of living anymore. Only in Washington would we tell you that you are wealthy and rich if you have saved and make about \$30,000 a year. That is wrong. We know in the real world that people need every help they can to make ends meet every month.

This repeal is the right thing to do for America. It is right on principle and encourages the things that help build America and help all of us try to reach our dream in retirement.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

The current speaker talked about \$30,000 is not a lot of money. We know that. The Democratic alternative exempts a couple of \$100,000 or less. We are raising it from \$30,000 to \$100,000.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GREEN), co-author of the amendment.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the rule and thank my colleagues on the Committee on Rules, both the Democrats and Republicans, for providing an opportunity to have an alternative to the Social Security tax cut. I have to admit, though, only in Washington-speak would the 1993 tax be called the Clinton-Gore tax and yet the 1983 tax that was 50 percent is not called the Reagan-Bush tax. Mr. Speaker, I think our folks are smart enough to understand that.

The argument, our Committee on Ways and Means chairman said yesterday, at the Committee on Rules is so correct, the argument we have is, We have a surplus; let's provide some tax cuts. Now that we have that surplus, let's do that. Well, that is great. The problem is this bill does not do that.

What this bill does is it takes the money out of the Medicare trust fund and it says, over the next year, we will try to put it back in, but each Congress is going to make that decision. That is why the substitute is the best way to go.

There are a number of reasons for that. The Republican bill is financially irresponsible. It takes money away from the Medicare trust fund, and it does not give any assurances that that money that it takes out will be put back. The Democratic substitute we have is more cost effective. It costs about \$46 billion less than the Republican bill; but what it does is actually, as my ranking member on the Committee on Rules said, it raises the amount from \$30,000 to \$80,000 for individuals and from \$44,000 to \$100,000 for couples. We are taking away those low tax brackets for seniors and that is great. But my Republican colleagues never talk about the 50 percent that they are still going to be paying.

The Democratic substitute is more responsible. It provides a targeted tax cut to those who need it most, and it does not bust the Federal budget like a lot of their tax cuts do. It is a financially responsible middle ground.

The so-called surplus mentioned by the Republicans is based on current law, not the billions that we have seen pass this House over the last number of months. My concern is that this year's surplus is already spent with the current Republican spending rates. The Democratic substitute protects Social Security and Medicare. It does not pretend to give seniors one thing out of one pocket and take it away from them in the other.

We prohibit the use of the Social Security trust surplus for this tax cut. So oftentimes in Washington we do that. We use Social Security money to pay for lots of things, including tax cuts. The other thing it does is it makes sure that that money will go to Medicare. It will go to the Medicare trust fund.

I want a tax cut. All of us want a tax cut. But let us not punish the seniors who depend on Medicare. I have to admit to my colleague from Texas, I do not represent any tax collectors. He probably represents more IRS employees than I do. He has a higher income district. I represent lots of taxpayers, but there are also a lot of people who depend on Medicare to make sure they can survive.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

For the record I would like to point out to the gentleman, my friend from Texas, that the report that the Committee on Ways and Means worked off of, a report that the Committee on Rules relied upon, and I would like to read from that in a letter that came directly to Chairman ARCHER from the Congressional Budget Office. It says: "Under current law, the revenues affected by the bill are credited to Medicare's hospital insurance trust fund. The bill would maintain those intergovernmental transfers which would have no net effect on the budget."

The gentleman from Texas implied that there would be a problem where we would not fully fund the programs. The money will be taken directly out of general revenues. This is a projec-

tion that will go until 2024. As the speaker is well aware, this Republican Congress has passed a law in our budget which would do away with the debt of this country, we are going to pay down the debt by the year 2012.

We believe that this is a responsible way to address the problems of this country. We simply do not believe that people who are senior citizens should have to wait 20 more years until they have an opportunity to receive this opportunity to put more money in their pockets. We believe in what we are doing. This is a bipartisan bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. I thank my friend from Massachusetts for yielding me this time.

Mr. Speaker, I rise today in opposition to the bill before us today and in strong support of the substitute being offered on our side. Mr. Speaker, here we are in Washington in the middle of July, but one would think with the legislation before us that it is the middle of the winter because we have been hit with a veritable blizzard of large tax-cutting measures, the closer we get to election day. My constituents in western Wisconsin, honestly know a snowjob when they see it. Unfortunately, I think this is just another of a series of election-year politics, playing politics with future budget surpluses, because that is what this debate is really about, what is the best priority use of future budget surpluses if, in fact, they do materialize.

There is a clear difference between the two parties on this. I came to Washington, Mr. Speaker, with a lot of concern in regards to the \$5.7 trillion national debt. I am the father of two little boys who are just 4 and 2, and I refuse to support policies that are going to make it more difficult for us to eliminate this legacy of debt that we are due to pass on to future generations unless we have the courage to resist large tax cuts now and use the money for debt reduction and shoring up Social Security and Medicare.

The series of tax cuts when you put them all together would virtually consume every last cent of projected budget surpluses if in fact they materialize at all. There is no guarantee that they will. But let us talk for a minute about the policy implications of these series of tax cuts, and who better to listen from than the Chairman of the Federal Reserve Board, Chairman Greenspan. This is basic Macroeconomics 101. He has been telling us consistently in his testimony, large tax cuts now are bad economic policy because it will overstimulate the economy and force the Federal Reserve to increase interest rates to slow the economy down. That would be detrimental to all citizens

who need to make home, car, credit card, student loan or other payments. It will also make it more worthy to invest in new capital and create more jobs.

Here are just a couple of statements that Chairman Greenspan said: "Saving the surpluses if politically feasible is in my judgment the most important fiscal measure we can take at this time to foster continued improvements in productivity."

Another one: "We probably would be better off holding off on a tax cut immediately, largely because it is apparent that the surpluses are doing a great deal of good to the economy."

Perhaps most importantly, Chairman Greenspan said this: "Lawmakers are counting on unpredictable economic trends to continue producing the budget surpluses they need to pay for their tax cuts. The long-term forecasts are often inaccurate and lead to vast errors in predicting budget deficits and surpluses. You should not commit contingent potential resources to irreversible uses."

That is exactly what we are doing in these series of tax cuts when you look at them all together. Go slow. We can provide modest tax relief for families who need it but we need to do it in a fiscally responsible way. Let us not bank our future on projected surpluses that may never materialize.

Let me be clear: the House leadership has embarked on a series of tax cuts that will obliterate a surplus that is the hard-won product of nearly 8 years of fiscal discipline.

Taken all the tax cuts offered in this session, over two trillion dollars, they will consume virtually the entire projected budget surplus in the next 10 years and then explode in the second 10 years. Now is not the time to abandon responsible budgeting by spending money before it even comes in the door.

Further, this bill will leave fewer resources for other priorities within the Medicare Program, including extending the solvency of the Medicare trust fund, creating a Medicare prescription drug coverage benefit, investing in education, and providing relief to rural hospitals and other health care providers.

I support the substitute to H.R. 4865. This substitute is fiscally responsible and will provide tax relief for middle income seniors who need the most assistance. Rather than eliminating the tax for all seniors, this proposal sustains the tax on Social Security benefits for individuals who earn more than \$80,000 and for couples earning more than \$100,000, roughly 95 percent of all seniors are covered under the alternative. Furthermore, this substitute will only go into effect those years in which there is enough of an on-budget surplus to replace lost revenues.

I have always felt that if projected budget surpluses do in fact materialize, we have a number of existing obligations that we must meet, such as paying off our \$5.7 trillion national debt, shoring up Social Security and modernizing Medicare with a prescription drug benefit and investing in education. These should be our top national priorities before we pass large tax cuts that will benefit the most wealthy and consume the entire projected budget surplus that may or may not materialize.

If those commitments are given their due priority, then fiscally responsible tax relief can be provided to those struggling families trying to make ends meet. We must not enact risky tax cuts today that will result in harming our seniors and our children tomorrow.

Mr. Speaker, I urge my colleagues to vote against this final bill. America's seniors are depending on us to balance the needs for tax relief with the need for Medicare solvency. We can do both in a fiscally responsible way.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO), the cosponsor of the amendment.

Mr. CAPUANO. Mr. Speaker, I rise first of all to thank the Committee on Rules for making the Democratic substitute in order. I appreciate their ability and their willingness to at least let us have a moment of time. I guess I want to just talk about a couple of things. First of all, I would like to point out what I think are the two most important differences between the substitute and the main bill. Certainly it is a matter of priorities. We do believe that if tax cuts are going to go in, they should go to those who need it the most.

I do not think anyone can argue that people making over \$100,000, of which every Member of this House is one, including myself, that anyone can argue that that is anything other than well off and that they do not need the extra help.

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That is number one; that is a philosophical issue. But I understand people can disagree on that.

The second one that they cannot disagree on that has been called a red herring but it certainly is not, the difference between the Democratic proposal and the Republican proposal is that under current law and what we want to keep are the monies going to Medicare from this tax are from a dedicated revenue stream.

Under the proposal as before us, without the substitute, it is simply a political promise, that we promise we will keep doing this.

Well, I hate to say it, but I do not think most Americans trust us all that much, and I for one, would like to make sure that my mother, my wife and my children do not have to rely on the promises of future politicians. I want to make sure that they can rely on a dedicated revenue stream to make sure that Medicare is sound and healthy for the future. That is the main difference.

The other thing I want to point out, as boldly as I can, and I know it has been mentioned by many people before, but this proposal, neither the Democrat nor the Republican proposal touches line 20(b) on the IRS tax form. Line 20(b) will be there today and will be there tomorrow regardless of what passes, regardless of what the President does, because this proposal does not touch the 1983 law that started taxing Social Security that was passed

with 97 Members of a Republican team in favor. Many of those 97 Members are still here today. They voted for that 1983 proposal.

Under today's rules, we should have taken the whole thing, scrapped it, had an honest discussion of what we can afford in tax cuts, targeted those tax cuts who could use it and simplify the entire form. We did not do that. We took a simple political approach to simply say cut taxes, which we are not doing, every senior citizen who is currently taxed under the law that is being proposed to be repealed today will be paying taxes next year, regardless of what the vote is here today.

Line 20(b) will still be there. They will have a few less dollars being taxed, but they will still have to go through the worksheet on page 25 of their instruction booklet, which is complicated as heck, and I challenge anyone here to try to walk through that worksheet, not even part of the form, it is a worksheet, try to do it without professional tax help.

That is why I rise today for the Democratic proposal, and that is why I repeat myself again. I thank the Committee on Rules for giving this a chance.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member, for yielding me the time.

Mr. Speaker, I rise in opposition to the rule. Yesterday, myself and three other Members of Congress, the gentleman from Missouri (Mrs. EMERSON), the gentleman from New Jersey (Mr. ANDREWS), and the gentleman from Texas (Mr. HALL), all proposed an amendment to this bill. If we are going to spend money, if we are going to reduce taxes, we ought to put in a repair for the notch babies. Those are the individuals in our society that are going to be forgotten. If this bill is passed today in its present context, the money that would be there to fix the notch-baby problem will be gone forever.

I hear my friends on each side talking about whether we are going to give a tax cut to people making millions of dollars in retirement or we are going to reduce it and put a cap on it. I say we have got 3½ million Americans that are 74 years of age to 84 years of age, more than 90 percent of them never meet the beginning cap of taxation. These individuals have been denied more than a thousand dollars a year for many years. If we pass this legislation today, the surplus that everybody talks about, and which has been spent for 2 months in double time so it is questionable whether any surplus is there at all, will be gone. The potential fix of the notch-baby problem will be, as a former commissioner of Social Security, as someone in the Reagan administration told me and Members of Congress when we met with them, fixed by attrition. We are going to wait until they die, and we will not have to fix it.

The message of this Republican Congress to those notch babies should be clear, they will not and do not intend to fix the notch-baby problem. Therefore, those 3½ million Americans that are 74 years of age to 84 years of age, all of which need this money, have been denied this money for 20 years, will now lose it. And the problem will be solved by attrition until they die.

Mr. Speaker, this is ridiculous. It is political, and I urge all my colleagues to vote against the rule and against the proposition to be cutting taxes before we fix fundamental problems with Social Security and Medicare.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as usual, we have a disagreement in Washington, the people who caused the debt and the deficit of this country are now trying to cover their holes that they have left in the past.

Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER), my colleague on the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the time.

Mr. Speaker, I do not expect to convince the gentleman from Pennsylvania (Mr. KANJORSKI) what the truth is about the notch. We all hear about it all every time we do town hall meetings, and we hear about it just after some organization in this town that is raising money that sends letters to everyone born between the years of 1917 and 1921 is saying you are being deprived of your due benefit, if you will send me \$10, I will fix it.

Mr. Speaker, I have been here for 7½ years and not one of those organizations has appealed to me to fix it. So I decided to find out what it really was. In 1972, Wilbur Mills is running for President, and he promised to increase the benefits on Social Security by 20 percent. His presidency went down in the Tidal Basin, and Nixon picked it up and he promised it, and they had a huge adjustment in 1972.

They started with people born in 1910 because they were 62 years old and eligible that year for the benefit. In 1977, they discovered they made a huge mistake. They made a calculation error that was going to bankrupt Social Security, and they had to crank it back to an honest formula.

They decided to leave people born between the ages of 1910 and 1916 alone, and those born from 1917 to 1921, 5 years, 1917, 1918, 1919, 1920, 1921, were rolled back a little bit each year for 5 years until they got fairly close to what should have been the right formula, and then they were on the cost-of-living adjustments, the COLAS, for thereafter.

The fact is, that group of people called the notch babies, my mother is one, get a higher benefit, compared to what they paid in under the formula, than those born after them, it is not that they get less. It is that they get

more, but they do not get as much as the error made for those born between the ages of 1910 and 1916.

It was a bank error in their favor, and they kept the cash. So any time you hear somebody stand up and talk about the notch babies, understand one thing, that a fund-raising operation in Washington, D.C. looking for high salaries for its managers has just sent out a scary letter to those born in those areas and looking for money to pay their salaries, never do they come to us, never has one single person come to our office and said help us fix the notch.

It does not exist, and the demagoguery we just heard on this issue is an example of scariness.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KLINK).

Mr. KLINK. Mr. Speaker, it has been interesting listening to the debate, the speech and debate clause of the Constitution has been stretched to its limit this morning. But let me just say something, it is definitive that people born between 1917 and 1926 receive less money than those who were born between 1911 and 1916, and it can be over \$200 less.

We are talking about people who are between 74 years of age and 84 years of age. We are talking about people who fought World War II. They are the people that are struggling today to decide whether they are going to be able to buy their medication. They are cutting their pills in half. We have been fighting to give them a serious Medicare drug benefit, all we are saying is let us have a hearing on this matter.

The gentleman from Georgia (Mr. LINDER) had an opinion on the matter, the gentleman from Pennsylvania, my predecessor, and some other Republicans had a different opinion. Let us have a discussion on it. The reality is whether or not there is a notch, whether we need to repair the notch, let us let those people between 74 and 84 know who stands with them and who stands against them, so when they go to the polls, they know who they are going to vote to.

They know whether or not someone wants to fix something that has been done or not. Let us talk about the people who are in the notch. Let them know who is for them and who is not. This rule does not allow that to occur.

Let us talk about historical revisionism. I remember driving in my car when I heard Ronald Reagan make a comment that he was going to decrease taxes; he was going to increase defense spending; and he was going to balance the budget. We all know what happened. In fact, he did decrease taxes. He did increase defense spending. And we went \$1 trillion in debt to \$5 trillion in debt.

Through the entire history of our Nation, from the American revolution, through two World Wars, through a great Depression, through Vietnam, through the Civil War, we had \$1 tril-

lion in public debt. And after 12 years of Bush and Reagan, we had that quadrupled.

They are talking about going back to those times today. This is it, a bad bill. It is a bad rule, and the Members should vote against it.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the chief deputy whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS), my friend, for yielding the time to me.

Mr. Speaker, I must admit I came to the floor partly because I was confused by the debate. This is eliminating a tax on people who receive Social Security. That is what this is about. This tax was not on the books before 1993. It is not a tax that people used to pay. It is eliminating a tax for people who draw Social Security.

I came to the floor, as soon as I got here, I heard that the surplus was gone. The deficit in 1995 was \$200 billion. The surplus, using those same bookkeeping rules, that we have even moved beyond those rules and do not use those rules any more, is about \$250 billion, that is a \$500 billion, half a trillion dollar turnaround. We need to rectify these unfair things that have been added to the Tax Code.

We do not need to take this as an excuse to come up with new government programs. We need to figure out how to do our business, the business of government, with the least tax dollars possible. And we certainly do not need to take those tax dollars from people who are drawing Social Security, from people, who, until 1993, did not pay this tax, a tax that is now paid by 10 million Americans, over the next decade that number will grow to 17½ million Americans who receive Social Security will pay this tax that we could eliminate today.

We could begin the process today in the House by eliminating this tax. This is a ticking time bomb. We hear our friends talk about the fact that this tax is only paid by the wealthy. Wealthy, or if you are retired, I guess if you make more than \$34,000, you are wealthy and that should be penalized, if you have worked your lifetime, if you have saved money, if you have worked for a pension, and if you make more than \$34,000, we are wealthy and should be taxed, if you accept that logic.

People who worked for that pension, who saved that money, who draw Social Security should not be hit with this tax. This is not an amount of money that is adjusted to inflation, and so each year more and more people are hit by a number that has less and less buying power. We can solve this problem today. We can help seniors on fixed incomes who managed to have a decent income, who would not have paid this tax before 1993, in a way that they do not pay this tax in the future.

I support the rule. I support the bill. I am for a long-term discussion of the

problems that relate to Social Security. We can solve those, but let us not solve them by saying that that should be paid for by people on Social Security paying a tax that is extreme and unfair.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, there has been a lot of reference today to the Clinton budget act in 1993. It was preceded by the Bush budget summit in 1990. On that occasion, when that budget summit agreement, which laid the first level of foundation for the successes we have now seen in the budget, in 1990, when it first came to the floor, only 47 Republicans voted for it, even though their President was a signatory to it and helped negotiate it.

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Three years later, because of recession, the deficit had not gone down. It was \$290 billion, a record high, and headed up on September 30, 1992. That was the level of the deficit when Bill Clinton came to office on January 20, 1993. On his desk lay an economic report to the President, George Bush, that said over the next 5 years the deficit would hover in that range and exceed \$300 billion by 1998.

Well, we got to 1998 and got to 2000, and we did not have those horrendous deficits; and there is a reason, because in 1993 we came over here and stepped up to the problem. There was some features to the package that we passed in 1993 I did not like, they were unpopular to vote for; but, nevertheless, they account for the fact that we now do not have huge deficits, but we have enormous surpluses. Indeed, CBO last reported that we could expect a surplus this year of \$219 billion, a swing from \$290 billion in deficit, in the red in 1992, to \$219 billion this September 30. That is nothing short of phenomenal.

One of the reasons we are out here today to oppose this particular provision, though I will vote to raise the level of the threshold at which this tax is applicable, we are out here to oppose it because we do not want to see our hard-won successes, this huge phenomenal turnaround, obliterated, blown away because nobody is keeping tabs on the budget, because we really do not have, for all practical purposes, a budget.

We have got a table right here that the Committee on the Budget has made up of where we stand at this point in time; and let me walk you through it, because this ought to be the backdrop for today's debate. This is what really concerns us. This is why we are out here in the well of the House taking an unpopular stand for something that is right.

CBO last said in July that the surplus over the next 10 years would be

\$2.173 trillion. Both sides have agreed that the surplus that accumulates in the Medicaid-HI trust fund over that period of time ought to be backed out and treated separately, just as Social Security is. When you deduct that \$361 billion, you are down to a surplus of about \$1.8 trillion.

The tax cuts passed thus far, including the one on the floor today, come to a total of \$739 billion over 10 years, revenues that will be deducted from the surplus, if indeed they are passed. That is just this year, tax cuts passed by this House this year, \$739 billion, including the tax cut today.

Future tax cuts that we can say with certainty will be enacted at one time or another, if not this year. One is the AMT, the alternative minimum tax. We all know that it is drawn in such a way, passed in 1986, that the income threshold is not indexed. Consequently, in the future years, in the very near future, more and more middle-income families for whom this tax was never intended are going to be hit by the AMT, and we will respond. We will change the AMT. So we have taken the AMT correction that you had, the Republicans had in their tax bill last year.

We have also factored in tax provisions in the code, concessions, deductions, credits, preferences, that we know are very popular. They have a short time frame, they are not permanent, and we are assuming that they will be renewed in the future, as they always have been in the past. That is \$183 billion of known tax increases in the very near future. That is the tax cut activity, \$900 billion that you can easily account for that comes off that surplus of \$1.8 trillion.

Look what we have done in spending. If you just take appropriations, considering the fact we have not put a new ceiling on appropriations in any of our budgets, and assume that discretionary spending will increase at a half percent above the rate of inflation, which is a lot less than it has increased in the last 3 years or since 1995, just a half percent, that is \$284 billion.

If you assume the mandatory spending increases that have been passed to date, excluding prescription drugs, will become law, that is \$54 billion, already passed by this House. If we take the Republican prescription drug bill, their bill, which I do not think you would recant now, CBO's cost estimate of it over 10 years is \$159 billion. If we assume that there will be additional farm assistance in the future, as there has been in the past, over the next 10 years I think most people on the Committee on Agriculture would say \$65 billion for likely increases and farm protection, given the situation in the farm community, is modest.

Finally, if you put in the Medicare provider restorations, corrections to the Balanced Budget Act of 1997 for providers, hospitals, doctors, who are saying they have been cut to the bone by this bill, both sides are now sup-

porting restoration, that is \$40 billion. If you adjust that service \$376 billion, guess what? You come to a total of \$2.261 trillion. That means you are \$88 billion in deficit.

That is what I have come to the well of the House to do today, to take away the punch bowl. Everybody got excited by this big surplus. The party is over. We are already in deficit if we pass this bill. That is the warning I am issuing right now.

Mr. MOAKLEY. Mr. Speaker, I yield 6½ minutes to the gentleman from North Dakota (Mr. POMEROY) to close debate on our side.

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am honored that the ranking member is allowing me to close on behalf of the minority, and I am honored to follow the comments of my friend and colleague, the gentleman from South Carolina (Mr. SPRATT), who has laid out in detail why we believe the plans, the spending and tax plans of the majority, have already placed this into a deficit situation before 10 years are up, take the country's largest surplus ever and put us back into a deficit situation.

That has direct bearing on the issue before us, because under the majority's proposed bill to be considered today, general fund transfers are required to keep the Medicare Trust Fund whole.

What if there are no general fund revenues left? This chart summarizes the detailed information the gentleman from South Carolina (Mr. SPRATT) just covered. As it makes clear, there is a significant question whether general fund revenues will be available; and if they are not available, the Medicare Trust Fund takes a hit.

The substitute offered by the minority in the upcoming debate ensures that the Medicare Trust Fund will be made whole, will be held harmless, by requiring an advance certification before that tax cut takes effect in any given year that there are ample revenues to go into the Medicare Trust Fund to compensate for the revenues lost with the tax reduction.

It is absolutely critical, I think we can all agree, with Medicare already slated for solvency trouble, not to make that problem worse. The plan by the majority jeopardizes the Medicare Trust Fund. The Democrat substitute preserves the trust fund by requiring the advance certification, so vitally important to make sure we maintain solvency.

The Democrat substitute, and I am grateful for the Committee on Rules making it in order, also provides tax relief for 95 percent of the people. As cosponsor of the substitute, in conjunction with the gentleman from Texas (Mr. GREEN) and the gentleman from Massachusetts (Mr. CAPUANO), we have advanced what we believe is a much better way to go as we look at this Social Security tax issue.

Under our bill, we would safeguard the Medicare Trust Fund, as I have just

mentioned, but provide very meaningful tax relief. Under our bill, income for taxation of the Social Security check would be reduced from 85 to 50 percent to households earning up to \$100,000 and individuals earning up to \$80,000. That means someone on Social Security has their Social Security check and an additional \$80,000 for an individual, \$100,000 for a couple.

One-third of all people on Social Security today live on their Social Security check. Two-thirds have the Social Security check for most of their income. We are talking about the most affluent 5 percent, the only group that would be excluded from the tax cut offered by the minority.

Now, some might say, why do you not give it to everybody? After all, the most affluent need the break too. We do not think they need the break as badly as we need to apply these revenues in other areas, and we save by our approach, by capping it at the \$100,000 per household, we save \$40 billion over a 10-year period of time. Just think what you can do to enhance prescription drugs for seniors with \$40 billion.

So it is a matter of who needs these resources first, the very most affluent households, as advanced by the majority, or those other households that cannot afford their prescription drug medicine that might benefit from reallocation of those dollars in that area.

So basically that is the choice between the two approaches. The majority approach offers tax relief; the minority approach offers tax relief. The majority approach fails to protect the Medicare Trust Fund; the minority approach protects the Medicare Trust Fund. The majority passes on a significant tax break to the most affluent households in this country; the minority substitute advances meaningful tax relief for 95 percent of the Social Security recipients in this country, leaving only those households earning \$100,000 or more in outside income to continue to have 85 percent of their Social Security income considered for taxation.

All in all, as you look at the issue, I think you will have to conclude that there are two ways to approach tax relief in this area, and the Democrat approach, with its protection for the trust fund, with its granting of tax relief to all but the most affluent 5 percent in this country, with the preservation of the \$40 billion saved thereby for application on critical priorities like Medicare prescription drug coverage, the Democrat substitute is the better way to go.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to close on behalf of the Republican Party today and thank my colleagues for their vigorous debate on behalf of an issue that is important to seniors in our country.

I am always amazed to see that the party that put the tax on people, on senior citizens of this country, is now trying to defend that tax and say, well, they have to make sure that they have

this money so that we do not go into deficit spending.

The fact of the matter is, Mr. Speaker, there will be two bills that will be voted on today: one which is the substitute which was described by the gentleman from North Dakota (Mr. POMEROY), which is an opportunity to have every single Member of this House of Representatives vote today.

Then there will be a second bill, the real bill, the one that does the right thing, the one that is the very same or similar that was just passed in the Senate, where Senator FEINSTEIN, Senator CONRAD, Senator DORGAN, and Senator JOHNSON all voted this last week on the Republican plan, a plan that does the real thing, the plan that says that the average tax of \$1,180 that is paid this year, that is going to grow to \$1,359 for the average senior citizen in the year 2010, is simply wrong.

We believe it is wrong for people to be taxed at an 85 percent rate for income above \$34,000 for senior citizens and \$44,000 for couples. We believe that the real bill that will be on the floor today that will pass will be the Republican plan, which is the one that says we do not believe that the burden should be placed on the senior citizens of our country.

We do not believe, as Republicans, that Social Security should be taxed at all. Of course we are different. The difference between the Republican Party and the Democrat Party can once again be seen today. One side is for the taxing of senior citizens, the other is we want to do away with taxes on Social Security.

Mr. Speaker, I am proud of the Republican Party. I am proud of the differences we offer for senior citizens.

Mr. Speaker, I urge my colleagues to vote for this fair rule. I urge my colleagues to weigh and consider the two bills before us, and I urge support of the Republican bill.

Mr. FOLEY. Mr. Speaker, I rise in support of the rule on H.R. 4865, the Social Security Benefits Tax Relief Act. This bill repeals the unfair and punitive tax increase on America's Social Security recipients. This tax increase was included in the Clinton/Gore 1993 Budget Bill, a bill I am happy to say did not receive a single Republican vote in either the House or Senate.

The federal government this year is expected to run a \$233 billion surplus. There is absolutely no reason to continue punishing our senior citizens by confiscating their hard earned Social Security benefits.

The 1993 tax increase raised the portion of Social Security benefits subject to income tax from 50 percent to 85 percent for millions of American retirees.

Taxing any portion of Social Security benefits is unfair and immoral. Taxpayers not only pay Social Security taxes from their wages but also are obligated to count as income for tax purposes the wages they never see that have been paid into Social Security. In other words, their wages earned over lifetime and paid into Social Security are taxed twice. This is unconscionable.

The other side is going to tell you that this proposal will destroy the Medicare Hospital In-

surance Trust Fund. Nothing could be further from the truth. It is true that these taxes are directed to the Medicare Part A Trust Fund. However, this bill will transfer funds from the general fund to the trust fund to make up for any shortfall from repealing this onerous tax.

Mr. Speaker, let's repeal this unfair tax. It never should have been instituted and its demise is long overdue.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair advises that Members should avoid personal references to Members of the Senate, other than as sponsors of measures.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

1300

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4516, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 565 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 565

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4516) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 565 is a rule providing for consideration of H.R. 4516, the conference report for the Legislative Branch Appropriations bill for fiscal year 2001. The rule waives all points

of order against the conference report and its consideration and provides that the conference report shall be considered as read.

House rules provide 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations and one motion to recommit, with or without instructions, as is the right of the minority members of the House.

There are many important provisions of this legislation and I want to briefly discuss the conference report that this rule makes in order. Regarding the Legislative Branch Appropriations, this bill continues our efforts since the 104th Congress to downsize the legislative branch of government. This bill before us today offers additional proof of our commitment to fiscal responsibility and this bill has overwhelming support. In fact, the Legislative Branch Appropriations bill passed the House only 1 month ago on June 22 by a 373 to 50 vote.

Mr. Speaker, this conference report also includes funding for the Department of Treasury and general government appropriations. These appropriations fund many national priorities such as enhancing law enforcement, school violence prevention, combatting international child pornography trafficking, and enforcement of our existing gun laws.

The Treasury Postal Appropriations bill passed the House last week, and I commend the gentleman from Arizona (Mr. KOLBE) for his hard work on this bill.

I want to comment on the inclusion in this conference report of the repeal of the telecommunications tax of 1898. I am very pleased that this conference report eliminates the telecommunications tax, a tax that is currently limiting the opportunities of lower- and middle-income Americans to have affordable access to the information superhighway.

This is just one more tax that makes it cost prohibitive for lower-income Americans to go online, and I support the inclusion of this provision in this conference report.

The foolish and shortsighted tax policies of the 101st Congress should be stopped as soon as possible. That was the Congress that made that tax permanent that was originally imposed in 1898.

This conference report gives us the opportunity to advance this common sense telecom tax repeal. There is no reason to delay sending this to the President as soon as possible.

Mr. Speaker, I would like to close by noting that only 60 days ago, on March 25, this House passed the repeal of the telecommunications tax by a vote of 420 to 2. This rule was favorably reported by the Committee on Rules. I urge my colleagues to support the rule today on the floor so we may proceed with the general debate in consideration of this very important conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise not only in opposition to this rule but to the heavy-handed manner in which the Republican leadership has chosen to conduct business in the hours before we adjourn for the August summer recess.

Mr. Speaker, I must protest in the strongest possible terms the fact that the Republican leadership has, in the dark hours of night, cobbled together what they are calling a conference report on legislative branch appropriations. The majority must be snickering behind their hands, Mr. Speaker, because this so-called conference report is constructed of one bill which has actually passed both houses, the Legislative Branch Appropriations, as well as one that has only seen action on this side of the Capitol, Treasury Postal Appropriations.

But there is something else. This appropriations conference report also contains a tax bill, the repeal of the telephone tax passed earlier by the House. This action was taken without any consultation with Democratic Members of the Committee on Appropriations, or with the Democratic leadership. Accordingly, no Democratic member of the Legislative Branch Conference Committee signed this report.

Mr. Speaker, while I have a photocopy of the conference report, I am at a loss to try to explain to my colleagues exactly what is in it. The report was assembled literally in the dark of night, sometime between 11:00 p.m. last night and 7:01 a.m. this morning, when it was filed. Democrats were led to believe last night this conference agreement was going to contain a minimum wage increase, as well as several tax provisions.

I have been assured that this document does not now contain the minimum wage but since the Committee on Rules did not provide us a single sheet of explanatory materials when we met at 8:30 a.m. this morning, I can only vouch for that by having quickly skimmed through this document.

In addition, Mr. Speaker, in order to accommodate the rush to get out of town, the Republican leadership kept the Committee on Rules waiting until 11:00 p.m. last night and the House in session until 11:30 p.m. Once it was determined that more work was needed to be done on this so-called conference report, the Committee on Rules was sent home but the House was not adjourned. It was instead recessed until 7:00 a.m. this morning so that the Committee on Rules could meet and file a rule this morning on the same legislative day and, thus, avoid the necessity of sending a martial law rule to the floor this morning.

Mr. Speaker, I must protest what I consider to be a disrespectful abuse of this institution and its Members, as well as the many employees who are required to hurry up and wait while the

Republican leadership tries to figure out exactly how to run this body.

Finally, Mr. Speaker, the rush to consider this matter is all the more peculiar since it seems that the Senate has absolutely no intention of considering this conference report until after the recess in September. This process makes no sense, Mr. Speaker, but it is a perfect example of the disregard the Republican leadership has demonstrated time and again for this institution, its practices, and precedents and the Members who serve here.

I urge every Member of the House to oppose this rule if for no other reason than to stand up for regular order.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Treasury, Postal Service, and General Government.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me this time.

Mr. Speaker, I listened with interest to the gentleman from Texas (Mr. FROST) and the comments he made about the procedures that were followed in bringing this conference report to the floor of the House. I will not comment on some of those procedures because they are, as we say, above my pay grade. They were decisions made beyond me, but I do want to comment about that part for which I have some knowledge and some responsibility, and that is the part in here, the very large part in here, that deals with the Treasury, Postal and General Government Appropriation.

I think from a procedural standpoint, we need to understand a couple of things. First of all, I can remember on the floor of this House last year listening to the laments of the minority, our friends across the aisle, as they complained that we were not acting on appropriation bills in a timely fashion. Now, of course, today, if we pass the D.C. appropriations bill we will have passed all of the appropriations bills before the August recess. I believe that is an unprecedented number in modern times. So we are hearing the complaint today with this conference report that we are really rushing it, we are moving it too fast; and we have heard that there was not sufficient consultation with the minority about this.

I regret very much that there was not more minority participation in the informal conference which took place on this bill, but I think it is very important that my colleagues understand that the minority was given full opportunity to participate, both the minority in the House of Representatives and in the Senate, and it was their decision, their choice, not to have staff members participate in the discussion of the provisions that were different between the House and the Senate bills as we tried to iron those out.

Now, the process that we followed was one that is followed, as far as I

know, as long as I have been here in every appropriations conference. That is that staff people from the two sides, the Senate and the House, get together and try and iron out the major differences. We followed that procedure. Where there were major differences that could not be handled by staff, I worked with my counterpart over in the Senate. Again, because a decision was made by the minority not to participate in those meetings, we did it on an informal basis.

Was there a formal conference committee held? No. I cannot say how many times that I served on conference committees when I was in the minority of appropriations where the conference committee never met at all. So I do not think this process has been any different.

I do regret very much that the minority chose not to participate in this process. They chose not to be involved in it. Nonetheless, the charge that was given to me was to make sure that we had a bill that was signable and passable, passable in the House and the Senate, signable by the President of the United States.

I think when we get into a discussion of the conference report itself, we will have an opportunity to see that many of the concerns that were expressed on this floor during debate on the Treasury Postal bill, by the Members from the other side of the aisle, were addressed. Many, if not all, of the concerns that were expressed by the administration through their statement of administration policy, called the SAP, in the letter that was sent both to the House and to the Senate appropriators, virtually all of those issues were addressed.

We have what I believe is a bill that is definitely a very good bill. It deals with the problems that confront the Internal Revenue Service, the Customs Service. We will have an opportunity to discuss those in greater detail as we go forward here, but I think that it is very clear to say that an opportunity was given for both sides to participate in this process. I do hope, before we get to a vote on the conference report, that there will be a much better understanding by all Members about the process, not only about the process but about the content of what is in this bill.

I think when they do understand it, there will be a great deal of acceptance.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am unclear about what the gentleman just said. Is the gentleman suggesting that the Republican leadership in the Senate is not competent to bring a bill to the floor for a vote because this is the crux of the argument? The Treasury Postal bill was never voted on in the Senate on the floor. What they did was to short-circuit the normal legislative process, reach out from the conference committee on another bill and pick up

a bill that had never been passed on the floor of the Senate.

So I do not quite understand what the gentleman was saying. Was he saying that his own leadership on the other side of the Capitol was not capable of bringing a bill to a vote on the floor of the Senate? I am curious as to why they chose to pick this bill up and put it into conference when it had never been voted on by the full Senate.

Mr. KOLBE. Mr. Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentleman from Arizona.

Mr. KOLBE. The answer is that over in the Senate, for reasons of their own, there was a dispute over some of the confirmations, as I understand it, confirmations of judgeships, and for that reason there was a hold placed on any of the appropriation bills after the legislative bill. So that became the only vehicle really that was available to us.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), for him to respond.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding the additional time so I can respond.

Mr. Speaker, so the decision was made over in the Senate that in order to try to expedite this process and to get not only the legislative bill but the Treasury Postal bill and at least this one tax bill that had passed by such a very large margin done before the August recess, that they would put those together and that is the reason, very simply, why it was put on this bill.

There was a debate that preceded yesterday on the Treasury bill. I am not sure how far they got yesterday before the end of the day, but they have had debate on the bill on the floor of the United States Senate.

Mr. FROST. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, let me see if I understand this. If the Senate is incapable of voting on a bill, for whatever reason, if they are incapable of taking a bill to final passage, then that is the basis for rolling that bill into a conference. If I understand what the gentleman is saying, he is saying, well, they just cannot get anything done over there in the Senate. They have some problems so we have to help them by picking up a bill that they never voted on and just rolling it into the conference on another bill. That seems a very peculiar procedure, particularly since we are going to come back after the Republican and the Democratic conventions. It is not like this is the last day of the session. We will certainly be here for the full month of September so it seems like a very peculiar and unusual procedure.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again remind Members to avoid improper references to the Senate, including characterizations of their actions.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST), the chairman of the Democratic Caucus, for yielding me the time.

1315

Mr. Speaker, this rule is coming to the floor under the most unbelievable circumstances. Last night when there was a baseball game going on between the Republicans and Democrats, there was another game going on upstairs, only this game had no referees and no umpires. After everyone else had gone home, the Committee on Rules waited around until 11 p.m. for the Republican leadership to decide our fate. Late last night, we finally get word that we are not going to meet, but the House would stay in session so that we could come back early this morning, file three rules, and immediately recess to begin another legislative day.

The Republican leadership decided to take two appropriations bills, Legislative Branch and Treasury Postal, and work on them until 7 a.m. this morning, and then, 1½ hours later, send them to the Committee on Rules. A couple of hours after that, here they are on the floor of the House. Meanwhile, Mr. Speaker, really, barely anyone has the foggiest idea what is in this bill. Yet, Mr. Speaker, we are supposed to vote on it.

This convoluted process is just a part of a larger pattern of disrespect, not only for the Committee on Rules, but for the entire membership at large. Mr. Speaker, it is totally uncalled for. The Senate has already announced that they will not take this up until mid-September. Why the rush? I suspect, Mr. Speaker, the lightning speed with which this bill is arriving on the House floor has something to do with the contents.

Once upon a time, Mr. Speaker, there were two noble suggestions on the House floor: one, to lift the American embargo on food and medicine to Cuba and the other one would lift the restrictions preventing American citizens from traveling to Cuba. A majority of the House recognized the wisdom in lifting the outdated prohibition on sending either American food or American medicine to our neighbors in Cuba. The House then voted 301 to 116 to pass the Moran amendment to lift the food and medicine embargo and the Senate passed a similar amendment by Senator DORGAN.

A majority of the House recognized that this embargo that was started some 40 years ago when things were a lot different than they are today. Communism was a real threat; Cuba was a real threat. But, Mr. Speaker, that policy has not worked for 40 years, and the American people have asked us to change.

Mr. Speaker, there are sick people in Cuba who could use our help. They live 90 miles from the world's best doctors,



hospitals, and researchers. We should be sharing our discoveries, because it is the right thing to do; and we should not be denying them because we feel we abhor the Fidel Castro-type of government.

The House also passed the Sanford amendment to allow Americans to travel to Cuba by a vote of 232 to 186. It is one of the most fundamental rights we have as Americans, the right to travel freely, and that also is being denied.

But despite those majority votes, the Republican leadership removed these limitation amendments in the wee hours of this morning and hope we would be none the wiser.

So in order to change the will of the majority of the House, we are considering this rule and these bills under a skewed, undemocratic process. So I urge my colleagues to oppose the rule. The Cuban people and the American farmers deserve better.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

I would point out that there is a compromise in the works on the Cuban language, language that I joined the gentleman from Massachusetts (Mr. MOAKLEY) in supporting and that will, I presume, be on the agricultural bill. He can rest assured that this will be taken care of on the floor.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. LINDER. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, as my colleagues may recall, this language came through on the agriculture bill, but then they decided to take it off and put it on the Treasury bill, and they were sure it would be there. Now they are going to put it back on the agricultural bill.

Mr. LINDER. Mr. Speaker, reclaiming my time, I think I made my point, and I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Before I begin my remarks, I would like to ask one question in case anybody can answer this. I would like to ask the majority if they can tell me by how many dollars do the two bills in this conference report exceed the budget resolution and exceed the allocation provided to each of the subcommittees under the Budget Act? Is there no one who can answer that question?

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, not being on the Committee on Appropriations, I am certain that, when that bill gets to the floor and into debate, they can explain that to the gentleman.

Mr. OBEY. Mr. Speaker, reclaiming my time, I find it interesting that a party which professes to be so con-

cerned with budget stringency will ask us to bring a bill to the floor before we even know by how much it exceeds the budget under which we are supposed to operate.

My understanding is that the Legislative Subcommittee portion of this conference report exceeds the budget by \$47 million, and that the Treasury-Post Office bill exceeds the allocation by \$1.2 billion; and then there is also an additional \$6 billion question mark because of the shifting of pay dates for SSI and for veterans' checks, which I think makes a real hash of any claim that there is any kind of budget discipline at all left around here.

Secondly, I would simply like to observe, as my friend, Archie the Cockroach, has often observed, that this bill looks like an accident that started out to happen to somebody else. The legislative appropriations bill was moving along, following the normal process. The normal process is that the House passes an appropriation bill and then the Senate passes it, and then we have a conference committee which meets and resolves the differences, and then we pass the conference report and send it on to the President for his signature. That is what has happened, commendably, for one portion of this conference report.

However, then the conference report ran into a train wreck, because being attached to it is a conference report on another appropriation bill, the Treasury-Post Office bill, and the quaint thing about that is that the Senate has never even considered that bill. So now we are being asked to consider a bill which represents a compromise between the House and the Senate on Treasury-Post Office, and yet the Senate has never had an opportunity to formulate a position on the bill.

The reason the minority did not participate in the sham meeting that took place in the dead of night last night is because on both sides of the Capitol, we feel this process is so profoundly illegitimate that we wanted nothing to do with it.

The fact is that what my Republican colleagues have done does have practical results. What they have done, for instance, is to add a totally non-germane tax provision which, if we had tried to bring it to the floor, would have been laughed out of the place. Secondly, you have had some anonymous source in the majority party leadership unilaterally and arrogantly reverse a decision made on the floor of this House by the full membership of this House when it comes to the embargo issue.

Now, that does not surprise me, because a year ago I was promised personally by two members of the Republican leadership, and they know who they are, I was promised personally that they would take no action to block the reform of dairy milk marketing orders on an appropriation bill. The leadership then went back on that promise in the last week of the session,

which led to a filibuster in both Houses on that issue; and now, farmers again are going to wake up to discover that a victory which they thought they had won on the House floor is being snatched away from them in the dead of night by anonymous Republican leaders who have decided that they do not care what the majority decided on this House floor with respect to the embargo issue. They are going to throw it in the ash can because it does not either meet their political objectives or their ideological objectives or their substantive objectives. That process too is illegitimate, and that is why they did not find the minority party participating in that.

Mr. Speaker, I would also point out that we have a strange shell game going on, because in the budget last year this Congress voted to move the pay dates for SSI and for veterans back one day, to move it into the next fiscal year. Then, in the supplemental which the majority passed a while back this year, they reversed that decision; and now they are reversing their reversal, and that is why I asked the question; Does not that mean that, in fact, this bill is almost \$7 billion over the allocations assigned to it under the Budget Act? I think the answer is yes; but so far, we have not gotten a clear answer on it.

Then we have one more quaint provision which says that the GSA is ordered to build a road in New Mexico. GSA, to my knowledge, has never built a road in the history of their operation. I find it very interesting that that kind of "urgent emergency" appropriation is being provided in this bill.

So this is the way Daffy Duck would do business on a bad day. It is a joke, and it ought to be defeated.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE) for the purpose of a response.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding. I do want to respond to the gentleman from Wisconsin. He asked a question, as I recall a rhetorical question since he answered himself, about the amount that this was over the allocation. I can only respond, of course, for the Treasury bill. He is correct, it is about \$1.2 billion over the allocation.

My question to him in return would be, is the gentleman saying that the money is too much, that we should not have these funds in there? Because earlier on the floor, just to let me finish my comment, earlier on the floor when we were debating the Treasury-Postal bill, we heard from every person over on that side of the aisle that was debating it that it was woefully inadequate, woefully insufficient funds and that it needed more money in order to get into a signable form. We think we have done that. We put more money in to make it into a signable form.

I would just inquire of the gentleman, is the money too much? Is the gentleman saying that we have put too

much? If so, I would certainly like to know that so that maybe we could change some of that.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. My time has expired.

Mr. OBEY. So the question is rhetorical and not meant to have an answer.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. HOYER), the ranking member on the Subcommittee on Treasury, Postal Service and General Government.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we have sad days in the House when we undermine any semblance of comity and of regular order, when we indeed undermine the premise on which so many were elected in 1994 in the so-called revolution, when they came to this House on the premise that Democrats somehow did not follow the regular order, did not follow the rules. The chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), was one of the major proponents of that proposition.

This process is not fair to any Member of this House; and, more importantly, it is not fair to the American public.

My colleagues have heard the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member of the Committee on Rules, outline the scenario, the timing under which this was done. I have no criticism of either the gentleman from Florida (Mr. YOUNG) or the gentleman from Arizona (Mr. KOLBE), the chairman of our subcommittee, with whom I work very closely. They are, in my opinion, both honorable men who have acted honorably, although they have acted consistent with directions which were not consistent with good order of this House.

The ranking member has correctly stated that this bill is approximately \$7 billion, give or take a couple of \$100 million, over the budget allocation. Yet we came to subcommittee, we came to committee, and we came to this floor and were told, you cannot do this, you cannot add this \$1.2 billion. How many days ago was that, I ask my friends, that that was intoned on this floor? Approximately 7 days ago.

1330

The principle was ensconced in stone 7 days ago, and now it is gone with the wind in the dead of night, obfuscated. Why, I do not know. The Senate is not going to pass this bill. Everybody on this floor knows that.

There is no need to move this. There is no need to shut us out. I heard my friend, and I understand what he said. But the fact of the matter is the Senate had not passed the bill. We have not had a conference. I participated in no meetings.

Now, was my staff informed? Yes, they were at approximately 10:30 last

night of what was in this, and we have been scrambling ever since to find out, that is what my staff tells me, of the substance of the bill. No discussions from us as to what ought to be in and out.

Now, let me say to the gentleman from Arizona (Mr. KOLBE) and the gentleman from Florida (Mr. YOUNG), I think what they have added in this bill is appropriate for the most part. That does not mean I think they have done what we suggested be done and which they then rejected on the floor 7 days ago.

We ought to reject this rule, not only because of the substance or the lack of substance in this bill, but we ought to, as Members of this House, not Democrats and Republicans, as Members of this House, who I think in many instances respect one another. I know that is the case for most of the appropriators. I cannot speak for other committees because that is the committee that I know best, and I respect and I like the Republican members of the Committee on Appropriations, and particularly that applies to the gentleman from Florida (Mr. YOUNG) and the gentleman from Arizona (Mr. KOLBE).

But I do not respect, nor do I like the process that they have been told to carry out. This is not right. Not for this bill, not for the Legislative bill.

I participated in the conference on the Legislative bill. I sat there. We talked about the provisions. We voted at the end. I did not get everything I wanted. As a matter of fact, I agreed significantly in some parts of that bill.

But I did not raise any questions. The process was followed. You win some; you lose some. You make your arguments.

Here, that was not the case. My colleagues heard the gentleman from Massachusetts (Mr. MOAKLEY). How can the CATS come here \$7 billion over budget? It is going to be interesting to watch them vote on this package.

Now, I do not agree with them, but if there is any intellectual consistency, I am going to be astounded that they might do that. One may get them to do that.

I do not think our Members are going to vote for this bill, not because they do not think the gentleman from Arizona (Mr. KOLBE) that what he added on is appropriate with IRS, with GSA and with other items in the bill. We discussed that. You agreed. I agreed. We do not disagree on that.

But, Mr. Speaker, we are going to be here at least for another 30 or 45 days. Let us treat one another and the American public with respect, with consideration. Yes, we will disagree; and, yes, my colleagues will impose from time to time the majority will. That is democracy.

But do not do it in the dead of night. Do not recess late at night so one can have an extra legislative day. That is a legislative game to stick it to us, because the rules that they so passionately argued for when they were in the

minority ought to protect the minority and that we overran they said, say that one cannot do it in one legislative day. So they did this gimmick. It is a legitimate gimmick. We used it. They complained bitterly about it. They did it last night in the dead of night and came here at 7 a.m. and filed it.

This rule ought to be defeated. We ought to be about the regular order and do things the right way and respect one another and respect this institution.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair advises the gentleman from Georgia (Mr. LINDER) has 19½ minutes remaining. The gentleman from Texas (Mr. FROST) has 8½ minutes remaining.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FROST. Mr. Speaker, I inquire of the gentleman from Georgia (Mr. LINDER) whether he has additional speakers.

Mr. LINDER. Mr. Speaker, perhaps one, perhaps two; but right now I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, I started out in life with English as a second language. So even though I speak more English in my adult life than I have spoken Spanish, I still have to pay close attention to make sure that what I hear is correct.

I heard that this decision was made through an "informal conference." I tried that in Spanish—(the gentleman from New York spoke in Spanish). I tried it in English, "informal conference." Both ways I come up with no conference at all.

In other words, an informal conference is a couple of people getting together and deciding there is something they do not like in a bill and then destroying that bill, taking that out, and then presenting it to us as an insult to the will of the House.

Let us be clear. The House said that on one particular issue, the issue of our future relations with Cuba, we would begin to change our behavior. In one particular instance, with 301 votes in favor, the House spoke on that issue.

But we knew, those of us who support that issue knew, that somehow we would figure on the other side a way to kill that. We had to. How could we listen to 301 Members? How could we listen to the majority of the American people? How could we listen to the American farmer? Are you kidding?

So this bill is before us today as an attempt to accomplish many things, but in particular to get two amendments that continue to punish a country and ignore the will of the American people.

This is not the end of this issue. We will try very hard today to defeat this rule. But the fact of life is that my colleagues' time is running out. They cannot continue to ignore the Constitution. They cannot continue to ignore

the will of the people, and they cannot continue to ignore the will of their own Members.

There are 301 Members, there are Republican Members, who will have to explain to the American farmer. My colleagues are hearing it from a person from the South Bronx, who thought all food grew in supermarkets up till recently. My colleagues are going to have to explain to them why they turn their backs on the American farmers who have been begging them to support them on this issue.

Cuba did not lose today. I and those who support this issue did not lose today. The big losers are the process in this House and the American farmer.

There is no compromise on another bill. Do not kid me, and do not kid us. There will never be a compromise on another bill as long as there is a desire to continue to ignore the will of the American people.

Vote down this rule.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to the rule, and I want to associate myself with the remarks of the gentleman from Massachusetts (Mr. MOAKLEY), the gentleman from Wisconsin (Mr. OBEY), and the gentleman from New York (Mr. SERRANO), especially with regard to the outrageous action by the Committee on Rules to remove in the dead of night the language overwhelmingly passed by this House regarding easing the embargo and travel restrictions on Cuba. The Sanford amendment which dealt with travel restrictions passed this House by 232 to 186. The amendment by the gentleman from Kansas (Mr. MORAN) dealing with food and medicine passed this House by 301 to 116.

A handful of Members in the leadership on the other side are apparently still nostalgic for the Cold War, enough so that they have ignored the will of this body.

The so-called compromise that the gentleman from Georgia (Mr. LINDER) made reference to earlier, it is not a compromise. It is a sellout. It would add on to the restrictions that are already in place.

What the Committee on Rules did, not only shows a lack of respect for this House, but it shows a lack of respect for the Members of this House on both sides of the aisle. The Committee on Rules has turned its back on our farmers.

My colleagues talk about the need for democracy in Cuba. How about a little democracy in the House of Representatives.

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is a very interesting debate; and it is a good debate

to have at the closing hours before the August district work period, because it is a great warning as to what is going to happen in September.

Yes, I am sad to say that spending is up on this bill. The House did an incredible job over this year passing 12 bills, and hopefully this afternoon 13 bills, trying to hold the line on the spending.

Through all the debates, every debate on every one of those 12 bills that we have already passed, and the debate we saw yesterday on the D.C. bill, the minority, the Democrats, complain that there was not enough spending. They want to spend more money. They want to spend more money. They claimed every bill was woefully, woefully inadequate in spending.

The President has said he wants more spending. So we thought that, in fashioning this particular bill, we would honor as much of their request as we could honor in order to get their support and in order to get the President to sign the bill.

We did consult with the White House on what their needs were in the Treasury-Postal bill. We begrudgingly gave them some of the money in the TPO bill, \$1.2 billion, that they have been crying for all this year, because we know that the President of the United States has to sign the bill before it becomes law. So we did that.

But do not denigrate the work of this House. The work of this House has been strong in trying to hold the line on spending.

They are salivating over the notion that there is this huge surplus, that they could spend more money. It is harder to deal with these issues under a surplus than it was under a deficit because of the penchant of many Members wanting to spend more money.

But we have told the American people that we are going to pay down on the debt. There is a \$270 billion surplus, and we are going to spend 84 percent of that in paying down on the debt on our children and grandchildren. We ask for 8 percent, 8 percent of that surplus to give some tax relief and tax fairness in the marriage penalty repeal, repealing the death tax.

On this bill is repealing the Spanish-American War tax that they kept spending when they were in control on bigger government. We think the American family needs a little tax fairness and tax relief, 8 percent of the surplus.

We sort of set aside another 8 percent, \$22 billion, for their increased spending, knowing that we could not get the President to sign it unless we gave it to them. That is why we bring it here. Let me just quickly touch on the Cuba issue. They won the Cuba issue. I was absolutely opposed to it. But they want it in the TPO bill, which is not the proper way to do it.

But because those two amendments passed and passed overwhelmingly, they won. They have got the leverage now to go and negotiate in the con-

ference of the Committee on Agriculture appropriations bill to get what they want. That is very significant. But to do it the way that they did it is really something that the Senate just would not accept because it is not the right way to do it.

We have tried to hold the line. But let me tell my colleagues what is really going on here and why we have had to use this unusual procedure in order to get these appropriations bills.

This is the anniversary, by the way, the 1-year anniversary when the minority leader announced that their strategy is to disrupt, obstruct, and stop the Republican House from passing anything. They have been trying to carry that out all year long. We have a six-vote margin, now, thank God. We have a 7-vote margin as of yesterday. We have a 7-vote margin. On these bills, it has been very difficult to put these bills together all by ourselves because they refused to participate.

They have even asked their own Members to vote against their own districts and their own interests in these appropriations bills in order to obstruct getting things done.

They outline their strategy. They are trying to carry it out. Right now, in the other body, they cannot pass anything because the Democrats in the other body have the Senate tied in knots. The reason that we had to do TPO on this bill is they cannot get it up on the floor of the Senate because the Democrats do not want to pass it. That is why we had to put it on this bill. They have used everything available to them to obstruct our ability to carry out the appropriations process.

1345

The point I am trying to make is we have worked very, very hard to pay down the debt with the surplus, to give a little tax fairness and hold the line on spending. That is the fiscally responsible thing to do. The other side, and I point out that they argued all year there is not enough money in here, and now we see them arguing because there is too much money in this bill. It is an amazing dichotomy that we witness here all day long every day.

The point is they do not want the process to work. They do not want us to pass these bills because they want to force us into some sort of summit with a big omnibus bill so they can get more spending. Well, we ain't goin' there. We ain't goin' there. We are going to pass these bills. We are going to do the fiscally responsible thing, and I hope our Members will stand up, vote for this rule and allow us to proceed.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. LINDER. Mr. Speaker, yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from South Carolina (Mr. SANFORD) is recognized for 2 minutes.

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) and the gentleman from Georgia (Mr. LINDER) for yielding me this bipartisan time.

I rise very reluctantly to oppose this rule. And the reason I do so, and my comments would be aimed at conservatives and Republicans, the reason I do so is because I think this is a gut-check vote. Because one of the things I ran on back in the beginning of the 104th Congress, before I ever got here, was the idea of working against midnight deals. One of the things we talked about, the young Members of the 104th Congress, before we ever got here, is that we have to stop this. The Democrats did it for too long. And yet here we find ourselves basically getting a \$30 billion bill at 11 a.m. and we have 2 hours to look at a \$30 billion bill. That is the antithesis of what we are to be about in process.

Secondly, my daddy always used to say, "Don't bid against yourself." This is a classic case of bidding against ourselves. Because normally we say, well, we are here, the Senate is over here in terms of spending, so therefore we are going to have to appease the Senate and we will come up with some number halfway in between. But here, without the Senate ever meeting, we have gone and increased legislative branch by \$51 million; we have increased Treasury, Postal by \$1.27 billion, and we really are bidding against ourselves.

So I think this is one of those cases where, and I respectfully mean this, as my dad used to say, "If you don't get something right, then try, try, and try again." We need to defeat this rule, send it back, and ask them simply to try again.

I would mention a couple of things that did come out in the few moments I had to look at this bill. For those against gun control, why are we increasing ATF by 29.4 percent; for those that that is an issue of importance? For those conservatives against the congressional pay raise, why are we including it here? Again, if Members want a fig leaf cover in voting against the pay raise, then wait and vote against the bill itself. But this is a chance to truly defeat it. And for those against an increase in Members' pension, here is a chance to get at it.

The fact of the matter is I have talked to our colleagues on the Senate side, and they are never going to agree to this nonconference conference. This has a lot to do ultimately with Cuba, and the question is what are we willing to trade off in terms of ideals that we believe in and money toward that end? I think this is a price too high.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

The gentleman from Texas (Mr. DELAY) is leaving the floor, but I had trouble following his logic. He would not yield time to me, he is leaving the floor now, but I noticed that the gentleman from Arizona (Mr. KOLBE) was pointing in one direction; he was say-

ing that, well, the Senate couldn't take this up because there were holds on just additional nominations, presumably by Republicans; and the gentleman from Texas (Mr. DELAY) was pointing the other direction; and he was saying, no, they could not take this up because the Democrats, who are in the minority of course, were blocking consideration.

Now, which is it? Is it because Republicans have holds on judicial nominations or is it because the minority Democrats prevented this from coming up? I do not quite understand. The gentlemen cannot have it both ways, and I would ask if the gentleman from Texas (Mr. DELAY) could respond to that?

Mr. KOLBE. Mr. Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentleman from Arizona.

Mr. KOLBE. Since the gentleman spoke about what I said, Mr. Speaker, I said that there was some disagreement over some of the judicial nominations and, for that reason, the other party in the Senate, it is my understanding, and I know we are not supposed to characterize what was happening, but for that reason they, therefore, put a hold on all the appropriation bills. That was simply what I was saying.

Mr. FROST. Mr. Speaker, I would ask how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Texas (Mr. FROST) has 2½ minutes remaining.

Mr. FROST. Perhaps the gentleman from Georgia would like to proceed.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time, and I rise today knowing that later this afternoon we will vote on a conference committee report that excludes the provisions of an amendment that I offered on the House floor 1 week ago today.

Seven days ago we had what I believe and know is a significant victory on behalf of American farmers, American ranchers, and, I believe, on behalf of the Cuban people. The opportunity to trade with Cuba food, medicine, and agricultural products is an important issue. The vote we had, 301 to 116, reflects a growing belief, a strong commitment in the House of Representatives that the policy that we have had in place for 38 years is a failed policy that damages American farmers and ranchers much more than it has ever damaged the government of Cuba.

I continue to seek reassurance from the leadership of the House that this issue will not go away and that ultimately our fight in this regard will be heard in this House. This issue will again arise in an appropriation bill, the legislative branch appropriation bill, and I again point out to the leadership of the House, both the Democrat and Republican leadership, that we have the ability and the support of the Mem-

bers of the House and their constituencies to advance this issue this year. I will continue to work today with the leadership of the committee, the leadership of the Committee on Rules, and the leadership of the House to make certain that this issue prevails at the end of the day.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to make two points, in response, frankly, to the majority whip.

First of all, it was not the Democrats, it was all of us. Let me read from the report of our committee, the majority report, which I supported, which said "With those additional responsibilities in mind," that is the things that are in the bill, "the allocation is short by approximately \$1.3 billion."

So I tell my friend, the majority whip, that he says it in the report that this is needed. But 7 days ago the gentleman would not do it. Why would he not do it 7 days ago? So he could say to the American public what he has just said now; we are trying to constrain spending; Yes, we think \$1.3 billion is necessary; and, guess what, 7 days later we will put it in. But the press release that went out on Friday said no, we are going to have fiscal constraint. For 6 days. For 6 days.

Secondly, I would say to my friend there is no need for this, whatever is happening in the other body. We could have considered the legislative bill on its merits in order, and we could consider the Treasury, Postal bill on its merits in order.

#### PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will State his inquiry.

Mr. HOYER. Am I correct that if this rule passes and we go to consideration of the conference report, and then we seek to offer a motion to recommit, that no amendment or motion to recommit which deals with the Treasury, Postal bill will be in order because it will not be germane under the conference committee report because it is on the legislative bill? Am I correct on that, Mr. Speaker?

The SPEAKER pro tempore. The motion to recommit to conference will be available and may include instructions to address issues within the scope of conference such as certain reactions from the conference report.

Mr. HOYER. My question, though, Mr. Speaker is if in the motion to recommit a change in the Treasury, Postal bill is offered, will that be in order?

The SPEAKER pro tempore. That question will be addressed by the Chair when actually presented, but the Chair can say generally that a motion to strike certain matter might be in order.

Mr. HOYER. I understand a motion to strike will be in order on any part of the bill. But my point is, I believe I

have been told by the Parliamentarian, and I want to make sure that the Members know this as well, that a change in the Treasury, Postal bill will not be germane because the only germane amendment to change the bill will be to the legislative bill because that is the underlying bill. Am I correct on that?

The SPEAKER pro tempore. That question cannot be prejudged at this point in time.

Mr. HOYER. Why not? There is not an answer that exists to that, Mr. Speaker? It is not a theoretical question.

The SPEAKER pro tempore. At this point, the question is hypothetical.

Mr. HOYER. Mr. Speaker, let me suggest that it may not be hypothetical at all as it relates to how Members feel they can vote on this particular rule, because they will know if they vote on this rule that they may or may not be precluded from taking such action under the rules that they may want to take.

That is why I believe that it is a relevant question at this time, prior to the vote on the rule.

The SPEAKER pro tempore. That is a fair question on which to engage in debate but not for advisory opinion from the Chair. It is still hypothetical.

Mr. FROST. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 1½ minutes.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time.

I would once again want to try to correct some of the misstatements made by the distinguished majority whip. He indicated that those of us on the Democratic sides of the aisle had insisted that all 13 appropriation bills have a higher spending level than those produced by the majority. I would point out I wrote dissenting views to the Department of Defense bill that the majority brought to this House. That bill is \$19 billion over last year and it is \$5.1 billion above the President's request. Not with my vote, but with his.

The Labor HHS bill, at this point, the document being worked on in conference, is \$2.5 billion over the President's request.

The point we are trying to make is very simple. The majority party indicated earlier in this year that it was going to insist on its budget resolution. We made the point at that time that it was not realistic; that the Congress would wind up spending much more money than that, and that they ought to fess up earlier rather than later. Now what has happened is that on bill after bill the majority party is throwing away the budget limitations, but we have no idea what limitations are replacing them.

In other words, we are now acting in Congress the way the Congress acted

before 1974 with the passage of the Budget Act. For all practical purposes, whatever the Committee on the Budget has proposed is considered as being irrelevant. There are no rules except the rules designed on an ad hoc basis, anonymously, by the gentleman from Texas and his other fellow leaders, and that is no way to run a railroad much less run a legislative representative body.

1400

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a couple of days ago I was talking with a gentleman from the other side of the Capitol about the appropriation process, and he said that he was deeply involved in the Foreign Ops appropriations bill and that the Members on both sides had agreed on all the differences from the House to the Senate on Foreign Ops.

However, he could not get any Members on the minority party or the White House to meet with them. They refused to meet, including the White House. Because they have this strategy to drag it out, stretch it out, do not agree to anything, complain about everything; and then one day, as the Majority Whip said, we will be here in October with a huge appropriations bill that will take in several of these 13 appropriations bills and they will get to spend more money. We heard that throughout this process on 13 bills that we are not spending enough.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. LINDER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I understand the proposition of the gentleman. The Majority Whip made that, as well.

If that is the case, why does not the majority, which controls both Houses, send the bills as they think they ought to be to the White House and let them veto them and let the American public see what is going on?

Mr. LINDER. Mr. Speaker, reclaiming my time, we would very much like to do that. But if 41 of the Democrats on the other side of the Capitol determine to filibuster, they can stop anything from happening.

As the gentleman knows, they have to have 60 votes in that body. They are determined not to let anything move at all, not even to let them bring it up without all kinds of amendments that are not germane to the process, which, in a body that has only two rules, unanimous consent and exhaustion, they can put anything on a bill. So they are slowing it down.

The fact of the matter is that this House has voted to pass all three of these provisions before. These provisions are before us again today. We are trying to get these passed and out of these bodies so that the President can veto them, because we expect that he will. Then we will be back in September dealing with the differences.

It would be easier if they would engage us today and help us with these

differences today and move forward with the process.

So I would say to my colleagues that this rule, while cumbersome, not pretty, is a rule that gets the process moving. It is not new to us. We remember when Speaker Wright did this some years ago. But it does get the process moving.

Let us get to the debate on the bills, the substance of the bills. Let us move this process. And let us get out of town for our district work period knowing that we passed, if not all of them, all but maybe one of them, hopefully all of them, before August, something that has not been done in modern times.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair again must remind Members to avoid improper references to the Senate, including characterizations of their actions.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LINDER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on the resolution are postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair will now put the question on those resolutions on which further proceedings were postponed earlier today.

Votes will be taken in the following order: House Resolution 564, and House Resolution 565.

PROVIDING FOR CONSIDERATION OF H.R. 4865, SOCIAL SECURITY BENEFITS TAX RELIEF ACT OF 2000

The SPEAKER pro tempore. The pending business is the vote de novo on House Resolution 564.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 232, nays 194, not voting 9, as follows:

[Roll No. 447]

YEAS—232

Aderholt	Goodling	Peterson (PA)
Archer	Goss	Petri
Armey	Graham	Pickering
Bachus	Granger	Pitts
Baker	Green (TX)	Pombo
Ballenger	Green (WI)	Pomeroy
Barr	Greenwood	Porter
Barrett (NE)	Gutknecht	Portman
Bartlett	Hansen	Pryce (OH)
Bass	Hastert	Quinn
Bateman	Hastings (WA)	Radanovich
Bereuter	Hayes	Ramstad
Berkley	Hayworth	Regula
Biggert	Hefley	Reynolds
Bilbray	Herger	Riley
Bilirakis	Hill (MT)	Rogan
Bishop	Hilleary	Rogers
Bliley	Hobson	Rohrabacher
Blunt	Hoekstra	Ros-Lehtinen
Boehlert	Horn	Roukema
Boehner	Hostettler	Royce
Bonilla	Houghton	Ryan (WI)
Boswell	Hulshof	Ryun (KS)
Brady (TX)	Hunter	Salmon
Bryant	Hutchinson	Sanford
Burr	Hyde	Saxton
Burton	Inslee	Scarborough
Buyer	Isakson	Schaffer
Callahan	Istook	Sensenbrenner
Calvert	Johnson (CT)	Sessions
Camp	Johnson, Sam	Shadegg
Campbell	Jones (NC)	Shaw
Canady	Kasich	Shays
Cannon	Kelly	Sherwood
Castle	King (NY)	Shimkus
Chabot	Kingston	Shuster
Chambliss	Knollenberg	Simpson
Chenoweth-Hage	Kolbe	Skeen
Coble	Kuykendall	Smith (MI)
Coburn	LaHood	Smith (NJ)
Collins	Largent	Smith (TX)
Combest	Latham	Souder
Cook	LaTourette	Spence
Cooksey	Lazio	Stabenow
Cox	Leach	Stearns
Crane	Lewis (CA)	Stump
Cubin	Lewis (KY)	Sununu
Cunningham	Linder	Sweeney
Davis (VA)	LoBiondo	Talent
Deal	Lucas (KY)	Tancredo
DeLay	Lucas (OK)	Tauzin
DeMint	Maloney (CT)	Taylor (NC)
Diaz-Balart	Manzullo	Terry
Dickey	Martinez	Thomas
Doolittle	McCarthy (NY)	Thornberry
Dreier	McCollum	Thune
Duncan	McCrery	Tiahrt
Dunn	McHugh	Toomey
Ehlers	McInnis	Trafficant
Ehrlich	McKeon	Upton
Emerson	Metcalf	Vitter
English	Mica	Walden
Everett	Miller (FL)	Walsh
Fletcher	Miller, Gary	Wamp
Foley	Moore	Watkins
Forbes	Moran (KS)	Watts (OK)
Fossella	Morella	Watts (FL)
Fowler	Myrick	Weldon (PA)
Franks (NJ)	Nethercutt	Weller
Frelinghuysen	Ney	Whitfield
Gallely	Northup	Wicker
Ganske	Norwood	Wilson
Gekas	Nussle	Wolf
Gibbons	Ose	Young (AK)
Gilchrest	Oxley	Young (FL)
Gillmor	Packard	
Goode	Paul	
Goodlatte	Pease	

NAYS—194

Abercrombie	Berman	Capuano
Ackerman	Berry	Cardin
Allen	Blagojevich	Carson
Andrews	Blumenauer	Clay
Baca	Bonior	Clayton
Baird	Borski	Clement
Baldacci	Boucher	Clyburn
Baldwin	Boyd	Condit
Barcia	Brady (PA)	Conyers
Barrett (WI)	Brown (FL)	Costello
Becerra	Brown (OH)	Coyne
Bentsen	Capps	Cramer

Crowley	Kildee	Phelps
Cummings	Kilpatrick	Pickett
Danner	Kind (WI)	Price (NC)
Davis (FL)	Klecza	Rahall
Davis (IL)	Klink	Rangel
DeFazio	Kucinich	Reyes
DeGette	LaFalce	Rivers
Delahunt	Lampson	Rodriguez
DeLauro	Lantos	Roemer
Deutsch	Larson	Rothman
Dicks	Lee	Roybal-Allard
Dingell	Levin	Rush
Dixon	Lewis (GA)	Sabo
Doggett	Lipinski	Sanchez
Dooley	Lofgren	Sandlin
Doyle	Lowe	Sawyer
Edwards	Luther	Schakowsky
Engel	Maloney (NY)	Scott
Eshoo	Markey	Serrano
Etheridge	Mascara	Sherman
Evans	Matsui	Sisisky
Farr	McCarthy (MO)	Skelton
Fattah	McDermott	Slaughter
Filner	McGovern	Stupak
Ford	McIntyre	Spratt
Frank (MA)	McKinney	Stark
Frost	McNulty	Stenholm
Gedjenson	Meehan	Strickland
Gephardt	Meek (FL)	Stupak
Gonzalez	Meeks (NY)	Tanner
Gordon	Menendez	Tauscher
Gutierrez	Millender	Taylor (MS)
Hall (OH)	McDonald	Thompson (CA)
Hall (TX)	Miller, George	Thompson (MS)
Hastings (FL)	Minge	Thurman
Hill (IN)	Mink	Tierney
Hilliard	Moakley	Towns
Hinche	Mollohan	Turner
Hinojosa	Moran (VA)	Udall (CO)
Hoeffel	Murtha	Udall (NM)
Holden	Nadler	Velazquez
Holt	Napolitano	Visclosky
Hooley	Neal	Waters
Hoyer	Oberstar	Watt (NC)
Jackson (IL)	Obey	Waxman
Jackson-Lee	Olver	Weiner
(TX)	Ortiz	Wexler
Jefferson	Owens	Weygand
John	Pallone	Wise
Johnson, E. B.	Pascrell	Woolsey
Jones (OH)	Pastor	Wu
Kanjorski	Payne	Wynn
Kaptur	Pelosi	
Kennedy	Peterson (MN)	

NOT VOTING—9

1424

Mrs. MALONEY of New York, Ms. SLAUGHTER and Mr. NADLER changed their vote from “yea” to “nay.”

Ms. PRYCE of Ohio, Mrs. MCCARTHY of New York, Ms. BERKLEY and Mr. GREEN of Texas changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4516, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore (Mr. PEASE). The pending business is the question de novo on the resolution, House Resolution 565, on which further proceedings were postponed.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 210, answered “present” 1, not voting 10, as follows:

[Roll No. 448]

AYES—214

Aderholt	Goodling	Pickering
Archer	Goss	Pitts
Armey	Graham	Pombo
Bachus	Granger	Porter
Baker	Green (WI)	Portman
Ballenger	Greenwood	Pryce (OH)
Barr	Gutknecht	Quinn
Barrett (NE)	Hansen	Radanovich
Bartlett	Hastert	Ramstad
Bass	Hastings (WA)	Regula
Bateman	Hayes	Reynolds
Bereuter	Hayworth	Riley
Biggert	Hefley	Rogan
Bilbray	Herger	Rogers
Bilirakis	Hill (MT)	Rohrabacher
Bliley	Hilleary	Ros-Lehtinen
Blunt	Hobson	Roukema
Boehlert	Hoekstra	Royce
Boehner	Horn	Ryan (WI)
Bonilla	Hostettler	Ryun (KS)
Bono	Houghton	Salmon
Brady (TX)	Hulshof	Saxton
Bryant	Hunter	Scarborough
Burr	Hutchinson	Schaffer
Burton	Hyde	Sensenbrenner
Buyer	Isakson	Sessions
Callahan	Istook	Shadegg
Calvert	Johnson (CT)	Shaw
Camp	Johnson, Sam	Shays
Campbell	Jones (NC)	Sherwood
Canady	Kasich	Shimkus
Cannon	Kelly	Shuster
Castle	King (NY)	Simpson
Chabot	Kingston	Skeen
Chambliss	Knollenberg	Smith (MI)
Chenoweth-Hage	Kolbe	Smith (NJ)
Coble	Kuykendall	Smith (TX)
Coburn	LaHood	Souder
Collins	Largent	Spence
Combest	Latham	Stearns
Cook	LaTourette	Stump
Cooksey	Lazio	Sununu
Crane	Leach	Sweeney
Cubin	Lewis (CA)	Talent
Cunningham	Lewis (KY)	Tancredo
Davis (VA)	Linder	Tauzin
Deal	LoBiondo	Taylor (NC)
DeLay	Lucas (OK)	Terry
DeMint	Martinez	Thomas
Diaz-Balart	McCollum	Thornberry
Dickey	McCrery	Thune
Doolittle	McHugh	Tiahrt
Dreier	McInnis	Toomey
Duncan	McKeon	Trafficant
Dunn	Metcalf	Upton
Ehlers	Mica	Vitter
Ehrlich	Miller (FL)	Walden
English	Miller, Gary	Walsh
Everett	Moran (KS)	Wamp
Fletcher	Morella	Watkins
Foley	Myrick	Watts (OK)
Fossella	Ney	Weldon (FL)
Fowler	Northup	Weldon (PA)
Franks (NJ)	Norwood	Weller
Frelinghuysen	Nussle	Whitfield
Gallely	Ose	Wicker
Gekas	Oxley	Wilson
Gibbons	Packard	Wolf
Gilchrest	Paul	Young (AK)
Gillmor	Pease	Young (FL)
Goode	Peterson (PA)	
Goodlatte	Petri	

NOES—210

Abercrombie	Baldwin	Berry
Ackerman	Barcia	Bishop
Allen	Barrett (WI)	Blagojevich
Andrews	Becerra	Blumenauer
Baca	Bentsen	Bonior
Baird	Berkley	Borski
Baldacci	Berman	Boswell

Boucher	Dicks	Hastings (FL)	Lampson	Millender-	Price (NC)	Strickland	Tierney	Watt (NC)
Boyd	Dingell	Hill (IN)	Lantos	McDonald	Rahall	Stupak	Towns	Weiner
Brady (PA)	Dixon	Hilliard	Larson	Miller, George	Rangel	Tanner	Turner	Wexler
Brown (FL)	Doggett	Hinchey	Lee	Minge	Reyes	Tauscher	Udall (CO)	Weygand
Brown (OH)	Dooley	Hinojosa	Levin	Mink	Rivers	Taylor (MS)	Udall (NM)	Wise
Capps	Doyle	Hoeffel	Lewis (GA)	Moakley	Rodriguez	Thompson (CA)	Velazquez	Woolsey
Capuano	Edwards	Holden	Lipinski	Mollohan	Roemer	Thompson (MS)	Visclosky	Wu
Cardin	Emerson	Holt	Lofgren	Moore	Rothman	Thurman	Waters	Wynn
Carson	Engel	Hooley	Lowey	Moran (VA)	Roybal-Allard	ANSWERED "PRESENT"—1		
Clay	Eshoo	Hoyer	Lucas (KY)	Murtha	Rush	Manzullo		
Clayton	Etheridge	Inslee	Luther	Nadler	Sabo	NOT VOTING—10		
Clement	Evans	Jackson (IL)	Maloney (CT)	Napolitano	Sanchez	Barton Cox Ewing Gilman	Jenkins McIntosh Sisisky Smith (WA)	Vento Waxman
Clyburn	Farr	Jackson-Lee	Maloney (NY)	Neal	Sanders			
Condit	Fattah	(TX)	Markey	Nethercutt	Sandlin			
Conyers	Filner	Jefferson	Mascara	Oberstar	Sanford			
Costello	Forbes	John	Matsui	Obey	Sawyer			
Coyne	Ford	Johnson, E. B.	McCarthy (MO)	Olver	Schakowsky	1442		
Cramer	Frank (MA)	Jones (OH)	McCarthy (NY)	Ortiz	Scott	Mr. SCARBOROUGH changed		
Crowley	Frost	Kanjorski	McDermott	Owens	Serrano	vote from "no" to "aye."		
Cummings	Ganske	Kaptur	McIntyre	Pallone	Sherman	So the resolution was agreed to.		
Danner	Gejdenson	Kennedy	McGovern	Pascrell	Shows	The result of the vote was annou		
Davis (FL)	Gephardt	Kildee	McKinney	Pastor	Skelton	as above recorded.		
Davis (IL)	Gonzalez	Kilpatrick	McNulty	Payne	Slaughter	A motion to reconsider was laid		
DeFazio	Gordon	Kind (WI)	McNulty	Pelosi	Snyder	the table.		
DeGette	Green (TX)	Kleczka	Meehan	Peterson (MN)	Spratt			
Delahunt	Gutierrez	Klink	Meek (FL)	Phelps	Stabenow			
DeLauro	Hall (OH)	Kucinich	Meeks (NY)	Pickett	Stark			
Deutsch	Hall (TX)	LaFalce	Menendez	Pomeroy	Stenholm			

**NOTICE*****Incomplete record of House proceedings.******House proceedings will be continued in the next issue of the Record.***